

Circuit
IN THE ~~COUNTY~~ COURT OF DESOTO COUNTY MISSISSIPPI

Look
Fredrick Smith, Owner, Executor
Po Box 303
Crawfordsville Ark. 72327

Petitioner,

- vs -

DESOTO COUNTY SHERRIFF DEPT,
SHERIFF BILL RASCO, DEPUTY CHARLES MAHON,
4 UNKNOWN DEPUTIES, et.al.

Defendants

FILED
DESOTO COUNTY, MS

JAN 12 2017

Shale H. Thompson
CIRCUIT COURT CLERK

Case No: *CI 2017-007JMD*

Judge:

- UNLAWFUL EVICTION, FRAUD,
- ILLEGAL DETAINER WARRANT,
- UNLAWFUL SEARCH AND SEIZURE, THEFT OF
- PROPERTY, ACTION TO RECOVER PROPERTY
- VIOLATION OF COMMERCIAL LIEN, CRIMINAL
- TRESPASS ON LAND PATENT, CONSPIRACY,
- UNLAWFUL ARREST, KIDNAPPING, FALSE
- IMPRISONMENT, RACIAL PROFILING,
- DISCRIMINATION, VIOLATION OF
- DUE PROCESS, THEFT OF PROPERTY,
- , HUMAN TRAFFICKING

DEMAND JURY TRIAL OF PEERS

COMPLAINT FOR RELIEF

COMES NOW, Frederick Smith, the Living Soul, Sui Juris, and complains of Criminal Acts of **FRAUD**, (definition : wrongful deception to secure unfair or unlawful gain ,or to deprive a victim of a legal right which has not a statues of limitation) ;committed by the Desoto County Sherriff, Bill Rasco, Deputy Charles Mahon and 4 Unknown Deputies of Desoto County Sherriff Department who used an unlawful detainer warrant to illegal search and seize and had conspired with the County court/ Judge and so called mortgage lender to remove the Owner of his private property. Sherriff Bill Rasco , Deputy Charles Mahon along with 4 unknown Deputies violated MCA 97-17-33 , MCA 97-17-29, MCA 97-17-23 in that the owner Fred Smith home was invaded and burglarized unlawfully by these armed Officers that were led by Deputy Charles Mahon who is also the same Deputy that arrested and Booked Frederick Smith as a Fugitive of Justice that

was fraudulent from a Bogus Bolo and Fraudulent NCIC entrance by the Arkansas State Police that was one year ago. Deputy Mahon is the same Deputy who showed up with other Deputies threatening and harassed my children and family and forcefully with Guns removed the owner and his family from his private property although the Mortgage had been satisfied. All evidence of the Owner's deed of property, promissory note, release of mortgage and payoff of note, commercial lien, and U.S. Land Patent, and affidavit to quit claim were filed under the Uniform Commercial Chamber and recorded within the Desoto Chancery court. The Documents that was used to evict the owner was bogus in that the owner had never went to court on this eviction notice to be properly notified or to be removed. This complaint is also brought under Title 18 U.S.C 241,242 and title 42 U.S.C. 1981 Racial Discrimination, 1983 due process, 1985 (2) obstructing justice (3) depriving person of rights privileges , and Mississippi Code Annotated 11-25-101 Secured Transactions, MCA 75-67-127 ignored the deed of trust, MCA 99-3-1 Policy of the Sherrieff and Deputies to the State of Mississippi and Desoto County Constitutional violations whether direct or indirect , MCA 97-3-53 Kidnapping , MCA 99-3-7 no warrant in the system to arrest Owner in the local data base, MCA 99-3-19 illegal arrest, MCA 99-3-15 not a fugitive nor convicted to be arrested. Deputy Mahon signed an affidavit that Fred Smith was a convicted felon and fugitive of justice which is **FRAUD** and was arrested without any probable cause or citation to be detained in violation also of the Mississippi State Constitution 4th Amendment for violation of unlawful arrest as well as due process of law 42 USC 1983. Deputy Charles Mahon called Lake Village Police Department to human traffic Smith as a slave to the State of Arkansas where there was no criminal violation nor convicted of a crime in violation of MCA 97-3-54.4(et seq) for human trafficking. The aforementioned Defendants Sheriff Bill Rasco, Charles Mahon, and 4 Unknown Deputies also committed home invasion and invasion of privacy against Smith and his Family in violation of (Miss, CODE Ann. § 45-4-9)

MCA 97-17-23 ,MCA 97-17-97 for criminal trespass and burglary and violating Smith's commercial lien that was filed with the Desoto Chancery court.

DEMANDING OATH OF OFFICE AND BOND

Your Oath of Office, is a binding contract and your bond will indemnify the public for any malpractice, damages, or any losses incurred in these matters and are a matter of constitutional importance and activator in said legal and moral duties to exhibit requisite credentials, Moreover, failure to qualify by filing a bond and taking the Oath of Office is grounds for ouster by Quo Warranto

ILLEGAL & FALSE EVICITION FROM A BOGUS AND VOID DETAINER WARRANT

; Petitioner to complain and show of criminal actions by Sheriff Department officers who used a void detainer warrant to take property in conspiracy with and from instruction to take property for his client 'WELLS FARGO BANK,' by William Drinkwater and other actions in violation of Mississippi Law. Respondent without court order, without legal obligation, and without Petitioner's permission as Executor; against his will and over his objections.

FACTS

- 1 It has been established that, Desoto County Sheriff officers participated in the eviction of petitioner from an invalid, bogus 'detainer warrant' that was "stayed" from a previous federal law
- 2 Petitioner has never been 'sentenced' to have a detainer warrant issued to be evicted from 7601 Broken Hickory Drive. Defendant 'Charles Mahon', Desoto County Sheriff Officers devoted a certain amount of energy to destroy the character, integrity, and evict Fred Smith without cause; that a reasonable person would be able to rationalize to the effect of the deliberate action in conspiracy with other State officials and from personal biased & prejudice of 'Sheriff Bill Rasco' when no official detainer warrant existed or was sought or a judicial hearing had to obtain such warrant. Mississippi Code Annotated 11-25-101 Secured Transactions,

MCA 75-67-127 ignored the deed of trust, MCA 99-3-1 Policy of the Sherriff and Deputies to the State of Mississippi and Desoto County Constitutional violations whether direct or indirect

- 3 Defendant William Drinkwater gained advantage from Defendant Desoto County Sheriff Officers who he met with in secret, to discuss the demise of Fred Smith's good name and evict him with a void detainer warrant; he ordered the use of such unlawful warrant. They conspired to do so from prejudice and biasness where William Drinkwater who was jealous how petitioner paid off his home and wanted to damage Fred Smith and display complete disregard for the Constitution of the United States and petitioners Article 4, Sec. 2 Privileges & Immunities.
- 4 Defendant, Desoto County Sheriff Officers from instructions from **Deputy Ray Henley**, agreed to go to the home of petitioner to evict him without a lawful legitimate detainer warrant?
- 5 William Drinkwater contacted the Desoto County Sheriff and presented him with a void 'detainer warrant' that was filed twice, once May 1st 2015 and once May 6th 2015. This same detainer warrant was stayed by federal law suit, that's on appeal and William Drinkwater attorney, used it in collaboration with Ray Henley, who incorporated Officers Mohon, Post, Perkins, and Hendrix of the Desoto County Sheriff department.
- 6 The above mentioned defendants from instruction from William Drinkwater attorney, after meeting with Captain Ray Henley to use the old void detainer warrant to evict Fred Smith and his wife and children. This act was accomplished on May 26th 2016 without an official court order or official detainer warrant.
- 7 **Article 3 sec. 23** of the Mississippi Constitution states: *SECTION 23. Searches and seizures. The people shall be secure in their persons, houses, and possessions, from unreasonable seizure or search; and no warrant shall be issued without probable cause, supported by oath or affirmation, specially designating the place to be searched and the person or thing to be seized.* MCA 97-17-33, MCA 97-17-29, MCA 97-17-23
- 8 Desoto County Sheriff officers from Respondent Superior-Ray Henley, and instruction from Sheriff Bill Rasco, on officers Post, Perkins, Hendrix all who hired a moving company to go with them and at the officers direction go into the house and remove all the furniture and property onto the street due to this void detainer warrant.

VENUE

9 DESOTO COUNTY SHERIFF DEPARTMENT is being sued in its capacity as employer of Officers Post, Mohon, Perkins, and Hendrix as 'respondent superior' Bill Rasco,

10 Sheriff Bill Rasco is being sued in his capacity as a person. principal
for Desoto County Sheriff Department and Officers Post, Perkins, Mohon and Hendrix, who is

responsible for creating a policy for Officers in the State of Mississippi as the initiator or manager, who is directly or indirectly involved due to the fact the violations complained of are unreasonable whereas attorney, the setting a policy to use void detainer warrant to evict a Citizen of Walls Mississippi that establish a training climate of a custom which has been established within the STATE OF MISSISSIPPI particularly DESOTO COUNTY SHERIFF department to use a void detainer warrant to evict petitioner.

CLAIM FOR RELIEF

11 Fred Smith hereinafter petitioner herein incorporates as reference as if fully set forth herein the allegations of sections 1-10.

12 Desoto County Sheriff Department of MISSISSIPPI is a person within the meaning of 42 USC 1983, 1985.

13 Desoto County Sheriff Department in STATE OF MISSISSIPPI is not entitled to 11th amendment immunity because it is local in nature. Desoto County Sheriff Department in STATE OF MISSISSIPPI is not entitled to sovereign immunity because of the purchase of insurance in bond and otherwise.

14 Article 4, section 2 Constitution of the United States provides petitioner with a privilege & immunity, to be free in his papers, houses and effects without being targeted from Desoto County Sheriff Department and William Drinkwater et al, to take his home from void bogus legal documents is "Fraud". 42 U.S.C. 1981 Racial Discrimination, 1983 due process, 1985 (2) obstructing justice (3) depriving person of rights privileges

15 STATE OF MISSISSIPPI has delegated its policing operations to, Desoto County Sheriff Department who has delegated its statutory responsibility for, and final policy making authority regarding the provision of evicting persons from their homes from void detainer warrants without interference or correction to Captain Ray Henley who delegated it to Charles Mohon and officers Post, Perkins, and Hendrix.

16 STATE OF MISSISSIPPI has delegated its POLICING operations to Desoto County Sheriff Department who has delegated final policy making authority regarding the fugitives of justice, to STATE OF MISSISSIPPI, and jurisdictional action, by allowing Officer Charles Mohon to perform aspects of this function without interference or correction.

17 The policy making decisions of Desoto County Sheriff Department with regard to the provision of EVICTING persons with a void detainer warrant where no court action was sought from any alleged mortgage that must go through the channels of the judiciary, are imputed to

DESOTO COUNTY SHERIFF DEPARTMENT to follow such procedure, which was not followed.

18 The policy making decisions mentioned of Desoto County Sheriff Department including those imputed to Desoto County Sheriff OFFICERS; Desoto County Sheriff Department are imputed to serve to bind both Sheriff Bill Rasco, Captain Ray Henley in STATE OF MISSISSIPPI [indirectly] are imputed to STATE OF MISSISSIPPI and Desoto County Sheriff Department directly or indirectly in violation of MC 99-3-1.

19 Such conduct poses a pervasive and unreasonable risk of Constitutional violations and injury- such are the violations here; to petitioner. DESOTO COUNTY SHERIFF DEPARTMENT had actual constructive knowledge given to it-Ray Henley; from William Drinkwater, who knew or should have known having a meeting of the minds. Governors all decided to engage in conduct that posed pervasive and unreasonable risk of Constitutional violations and injury to petitioner.

20 The deliberate indifference to, or tacit authorization of, such unconstitutional conduct shows the response of actual or constructive knowledge of this pervasive and unreasonable risk of Constitutional violation and injury to petitioner.

21 A reasonable person in the position of defendants would have known that his or her actions violated petitioner's Article 4, section 2 Constitutional Privileges and immunities along with certain state statutory provisions of Mississippi.

22 Sheriff Bill Rasco knew or should have known that the actions to evict a Citizen in Desoto County are liable under the law of Mississippi for such actions of DESOTO COUNTY SHERIFF DEPARTMENT OFFICERS based on the doctrine of respondent superior from use of a void detainer warrant.

23 Treble damages are entitled to be given to petitioner for such wrong or injury pursuant to Mississippi Law.

24 Petitioner is entitled to recover damages against STATE OF MISSISSIPPI, DESOTO COUNTY SHERIFF DEPARTMENT bonds' pursuant to Mississippi law.

25 Defendants' conduct was willful or wanton in that it constituted the conscious and intentional disregard of, and indifference to, the privileges and immunities, of petitioner, which said defendants knew, or should have known, was reasonably likely to result in injury, damage, or IRREPARABLE harm.

CAUSE OF ACTION

1 This is an action under 42 USC 1983, 1985 for the deprivation of rights and denial of petitioner privileges and immunities afforded from Article 4, sec.2 Constitution of the United States Denied. Plaintiff also claims relief from within *RICO* and State and Federal Law i.e. 42 USC 1973; *Anderson v. United States* 411 US 211(1974); 18 USC MCA 99-3-7 MCA 99-3-19 MCA 99-3-15 MCA 97-3-54.4

2 Sheriff Bill Rasco r, Officers Post, Mohon, Perkins and Hendrix are residents of Mississippi and are being sued separately in their official and individual capacities.

3 DESOTO COUNTY SHERIFF DEPARTMENT, William Drinkwater, was responsible for instituting policy in secret with Captain Ray Henley, for the evicting persons from their homes which includes, but not limited to, setting policy guidelines for training for officers to evict persons from their home. Where petitioner told DESOTO COUNTY SHERIFF DEPARTMENT officers that they must have a valid detainer warrant to evict petitioner and without, your action creates a "Policy" and "Custom" that violates the 4th amendment if you do this, use a void detainer warrant.

4 The established policy has created a custom to evict petitioner or any person or Citizen who is free in enjoyment of right to be secure in his house, not be seized in Mississippi for any reason without a valid detainer warrant. DESOTO COUNTY SHERIFF DEPARTMENT with William Drinkwater is responsible for the established climate and custom that allows Sheriff Officers to use a deliberate unreasonable void detainer warrant for personal satisfaction because he William Drinkwater wanted to in violating the 42 USC 1983, 1985 and denying Petitioner access the 4th Amendment because petitioner is exercising his free enjoyment of the Constitution of the United States privilege, in connection with the Constitution of Mississippi.

KNOWINGLY OR RECKLESSLY USING A FALSE DETAINER WARRANT

- 1 DESOTO COUNTY SHERIFF DEPARTMENT allowed Officers Mohon, Post, Perkins, Hendrix to use "intentional" false and misleading representation of a detainer warrant" against petitioner to show he was being evicted from no Court order or valid Detainer warrant showing petitioner was to be evicted lawfully.
- 2 This act from Deputy Charles Mahon used a "invalid detainer warrant" for DESOTO COUNTY SHERIFF DEPARTMENT authorizing Officer Mohon, Post, Perkins, and Hendrix was not his opinion, but his personal biased & prejudice to take over judiciary and destroy the integrity of the Judicial System where he took on and

became a "Vigilante of Justice" like *Charles Bronson's* movies; which is scary, chilling to the bone and frightful that an Attorney of Mississippi incorporating Sheriff officers in today's' climate of police brutality raging,... here in Mississippi too being no different than a Desoto County took over the legal system in Mississippi and became "The Enforcer".

3 To make petitioner his personal slave by orders from a State Official to do and commit such action shocks the conscious beyond mental reasoning.

4 The "Presently Existing Fact" was created and established by DESOTO COUNTY SHERIFF DEPARTMENT without law, deliberately against petitioner with the intent to cause irreparable harm where it's ultimate end were justifiable as listed in *S. vs. Emerson, 259 P.2d 406 (1953)*.

that was one year ago. Deputy Mahon is the same Deputy who showed up with other Deputies threatening and harassed my children and family and forcefully with Guns removed the owner and his family from his private property although the Mortgage had been satisfied. All evidence of the Owner's deed of property, promissory note, release of mortgage and payoff of note, commercial lien, and U.S. Land Patent, and affidavit to quit claim were filed under the Uniform Commercial Chamber and recorded within the Desoto Chancery court. The Documents that was used to evict the owner was bogus in that the owner had never went to court on this eviction notice to be properly notified or to be removed. This complaint is also brought under Title 18 U.S.C 241,242 and title

CONSPIRACY

Claim of RICO, and Sherman Act Violations

22 Petitioner hereby incorporates the factual allegations of all previous paragraphs as though those allegations were fully set forth herein.

23 This pattern of Racketeering and Corrupt influence by Defendants is wide spread throughout Mississippi and the court system in America. This complaint alleges inter alia, violations under the Organized crime Control Act of 1970, Pub. L. No. 91-452, section 901(a), 84 Stat. 941, Racketeering Influenced and Corrupt Organizations (RICO), Sherman Anti-Trust Act – where the enterprise DESOTO COUNTY SHERIFF DEPARTMENT and participation of DEPUTY SHERIFF OFFICER Charles Mohon, and by an thru the principal enforcer Bill Rasco; who ordered participant Charles Mohon, by and thru orders from the affairs of the enterprise "DESOTO COUNTY SHERIFF DEPARTMENT" acts, and displays of conduct from this pattern of influence and has violated Article 4, Sec. 2 Constitution of the United States, 18 USC 1962(c), (a),(b), and is brought against "Fred Smith", a Citizen of United States, in connection and victim of a monopoly scheme devised, conducted, and/or participated in DESOTO COUNTY SHERIFF DEPARTMENT-enterprise. Charles Mohon of who is employed by or associated with DESOTO COUNTY SHERIFF DEPARTMENT, deputy Charles Mohon participant of DESOTO COUNTY SHERIFF DEPARTMENT, receives income derived from the enterprise, where *It shall be unlawful for any person through a pattern of racketeering*

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activity or through collection of an unlawful debt to acquire or maintain, directly or indirectly, any interest in or control of any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce. By conduct and participant Deputy Charles Mohon, in the affairs of the enterprise where It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of unlawful debt.

24 Charles Mohons' conduct or participation, directly or indirectly, in the conduct of the affairs of the DESOTO COUNTY SHERIFF DEPARTMENT, through a pattern of racketeering activity, creating, establishing, to illegally and unlawfully arrest the person, where Charles Mohon association, participation with the enterprise affairs, who conspired to do so, and to wrongfully and unlawfully divert the right OF Fred Smith illegally swearing he was a fugitive from justice thru false claims of a lie. Conspiracy past down to Bill Rasco from officials from Arkansas government to systematically in a scheme to arrest Mr. Smith without cause, secretly, craftily and Constitutionally taken away privileges and immunities guaranteed by Article 4 sec. 2 Constitution of the United States.

25 Against Fred Smith, where affiant has been injured in his Constitutional Article 4, sec. 2 Privileges & Immunities forced arrest illegally by Deputy Charles Mohon protect the Citizens from abuse of government officials, protect the laws of Mississippi, deliberately against his sworn oath of office, and "Public Policy" was recruited to assist Bill Rasco and participate in the affairs of the enterprise-SHERIFF DEPARTMENT, where if he Charles Mohon would devote a significant amount of energy to conspire with him and others to carry out a bogus arrest, place Fred Smith in the ACIC & NCIC listing him as a "Fugitive from Justice" shocks the conscious. He would be guaranteed income derived from his participation in the scheme to deny, take away Fred Smith's Constitutional privilege to seek public office shocks the conscious. To the detriment of Representative Fred Smith, violating, Sherman Anti-Trust Act, RICO and Constitution of the United States, inter alia.

Conclusion

The aforementioned information is TO BE forwarded to the appropriate authority for a Writ of Execution against the above listed person for the criminal violations of law.

STATEMENT

1. Fred Smith from firsthand knowledge complains of criminal acts against him to the Sheriff Department of Desoto county on the forgoing information; State below the specific details of what the accused did that constitutes false arrest, false imprisonment, kidnapping, illegal labeling, violated procedures of Arrest in falsifying records of a "GENERAL AFFIDAVIT" in deliberate disregard for arresting persons as a "Fugitive From Justice" filed with the Desoto County Circuit Clerk - attached to this affidavit of criminal charges where Fred Smith HAS NEVER BEEN CONVICTED....so to arrest, craft a process to abuse the privileges and immunities of Fred Smith, that constitute the following: illegal detaining, unlawful seizure-Fourth Amendment, deprivation of liberties, wrongful arrest *et al inter alia*.

FACTS

- 1 That on September 23, 2009, Frederick Smith was fraudulently arrested by the Desoto County Sheriff's Department employee's sworn testimony by Officer Charles Mohon on a fraudulent warrant issued by the State Police of Arkansas. Mr. Smith was incarcerated for (4) four days in Desoto County Mississippi and held with no warrant information and was told by Desoto County Sheriff's Department officer Charles Mohon, that the State of Arkansas Prosecutor did not want Mr. Smith released or let him bond out and that the State Police would pick him up to expedite him back to Chicot County Arkansas.
2. Deputy Charles Mohon made a sworn affidavit against Mr. Smith complaining that he was a 'fugitive from justice'. The affidavit signed and filed in the circuit court September 23, 2009 was fraudulent, bogus, illegal, unlawful and deliberate.

- 1 It has been established that, Desoto County Sheriff, OFFICER participated in the smearing of public vistas of petitioner, damaging the good name of petitioner, by entering the name of "Fred Smith" a State Representative into the "National Database" as a "Convicted Felon" with charges showing: "FUGITIVE FROM JUSTICE" where petitioner has never been.
- 2 Petitioner has never been 'sentenced' to become a 'fugitive from justice' nor has petitioner ever been "Convicted" of any crime or been a "Felon". Defendant Desoto County Police, Sheriff Bill Rasco devoted a certain amount of energy to destroy the character, integrity, good name of Fred Smith without cause that a reasonable person would be able to rationalize to the effect of the deliberate action in conspiracy with other State officials and from personal biased & prejudice when no crime by Fred Smith was committed, to arrest him without a warrant.
- 3 Defendant Desoto County Police, Sheriff Bill Rasco, gained advantage from ARKANSAS STATE POLICE OFFICER who they met with in secret, to discuss the demise of Fred Smith's good name. They conspired to do so from prejudice and biasness where they wanted a male Caucasian to take the seat of Fred Smith. When

Fred Smith was reinstated from his constituency of district 50 of Arkansas, the question as to why did ARKANSAS STATE POLICE OFFICER go out of his way to place petitioner into the National Criminal Database – NCIC, jumping over the State Criminal Database – ACIC, shows a clear and concise disregard of justice, the law, the rules of law, the ethics of his job, the Constitution of Arkansas, and finally complete disregard for the Constitution of the United States and petitioners Article 4, Sec. 2 Privileges & Immunities.

4 Desoto County Police, Sheriff Bill Rasco from instructions from ARKANSAS STATE POLICE OFFICER stopped petitioner while he was traveling in his road machine automobile and said “do you have a warrant out for you”. How did the defendants know if there was a warrant if they were not told?

5 Article 1sec. 13 of Mississippi Constitution states: *Every person is entitled to a certain remedy in the laws for all injuries or wrongs he may receive in his person, property or character; he ought to obtain justice freely, and without purchase; completely, and without denial; promptly and without delay; conformably to the law.* Defendant, Desoto County Sheriff OFFICER for the STATE POLICE DEPARTMENT and Bill Rasco, Winfred Phillips who gave ARKANSAS STATE POLICE OFFICER the order to go to the NCIC computer terminal after hours and enter “Fred Smith” into the NCIC not the ACIC database to show him as a ‘fugitive from justice’ when there was and is no court order showing Fred Smith being a “Convicted Felon”.

6 Desoto County Police, Sheriff Bill Rasco kept petitioner in jail over 5 days from instructions from the State of Arkansas which is a violation of due process, statutes Mississippi and Constitution Mississippi without cause.

7 Fred Smith by ARKANSAS STATE POLICE OFFICER direct action and Desoto County Police, Sheriff Bill Rasco, where the media who slandered Fred Smith by telling them he was convicted and had a copy of his picture in the news i.e. Photo by Staton Breidenthal article by Sarah D. Wire of the “Arkansas Democratic Gazette”, Desoto Time...

8 Desoto County Police are the ones who got the word from ARKANSAS STATE POLICE OFFICER who created the BOLO and contacted Desoto County Police to stop petitioner because he was coming into Mississippi. The officer without probable cause stopped petitioner and asked him “Do you have a warrant?” is not the procedure as a police officer to make judicial determinations on the street which by doing so, he practiced law and is unlicensed in Mississippi.

5. The Desoto County Sheriff’s Department, Deputy Charles Mohon and Sheriff State Bill Rasco violated under color of law and Federal Acts pursuant to Title 42 U.S.C.A § 1983 for Due Process Violations, and Racial Discrimination pursuant to Title 42 U.S.C.A §§ 1981, 1985 for equal protection under the law and Title 18 U.S.C.A §§ 241, for conspiracy and 242 for deprivation of rights under color of law and Title 18 chapter 47 § 1038 for Fraud/False information and Hoaxes, because Officer Charles Mohon participated, enjoined himself in the corruption of Mississippi officers making himself a conspirator against the Constitution of Mississippi and Constitution of the United States and Mississippi Code 95-1-1 certain words “Fugitive From Justice” for libel and slander and Defamation to the affiant’s reputation inter alia.

VENUE

12 Arresting Officer J. Bigham, STATE OF MISSISSIPPI is being sued in its capacity as employer and principal of arresting Deputy Charles Mahon.

13 Desoto County Sheriff is being sued in its capacity as a person. [GOVERNOR] employer for Desoto County POLICE OFFICER; Mississippi, who is responsible for policy of all State Police Officers in the Mississippi, State of Mississippi as the CEO or manager, Governor who is directly or indirectly involved due to the fact the violations complained of are unreasonable where as Governor, setting adequate policy and training here climate of a custom has been established within the Desoto County Sheriff Department, STATE OF MISSISSIPPI department, that lacks training in entering persons names into the 'criminal database system' of the "National Level" for 'Felons' without permission to do so is "Criminal" in itself; and lacks provisions in handling proper procedures for initiating BOLO's without cause, authority, and shows a lack of supervising in the Rights of Citizens of Mississippi, and Arkansas.

CLAIM FOR RELIEF

14 Fred Smith hereinafter petitioner herein incorporates as reference as if fully set forth herein the allegations of sections 1-13.

15 Desoto County Police, Sheriff Bill Rasco; Officer Charles Mohon., STATE OF MISSISSIPPI is a person within the meaning of 42 USC 1983, 1985.

16 Desoto County Police, Sheriff Bill Rasco; , STATE OF MISSISSIPPI is not entitled to 11th amendment immunity because it is local in nature. STATE OF ARKANSAS, STATE OF MISSISSIPPI is not entitled to sovereign immunity because of the purchase of insurance in bond and otherwise.

17 Article 4, section 2 Constitution of the United States provides petitioner with a privilege & immunity, to be free to travel the roads and highways without being targeted from Desoto County Police, Deputy Charles Mahon to be stopped and arrested from no court order for arrest or sentencing where petitioner has "Absconded".

18 STATE OF MISSISSIPPI has delegated its policing operations to, Desoto County Police, Sheriff Bill Rasco who has delegated its statutory responsibility for, and final policy making authority regarding the provision of ENTERING persons names into the NCIC and ACIC by allowing ARKANSAS STATE POLICE OFFICER to perform this function for Desoto County Police, Lake Village Police without interference or correction.

20 Sheriff Bill Rasco STATE OF MISSISSIPPI has delegated its POLICING operations to Desoto County Police, Charles Mahon, who has delegated final policy making authority regarding the fugitives of justice, to ARKANSAS STATE POLICE OFFICER, and jurisdictional action, by allowing ARKANSAS STATE POLICE OFFICER to perform aspects of this function without interference or correction.

21 The policy making decisions of Desoto County Sheriff, STATE OF MISSISSIPPI with regard to the provision of ENTERING persons into the National Database of Criminal Felons and ACIC are within the jurisdictional bounds of STATE OF MISSISSIPPI, STATE OF ARKANSAS are imputed to ARKANSAS STATE POLICE OFFICER.

22 The policy making decisions mentioned of Desoto County Police, including those imputed to Desoto County Police, Lake Village Police by ARKANSAS STATE POLICE OFFICER; Desoto County Police, Lake Village Police are imputed to ARKANSAS STATE POLICE OFFICER by STATE OF ARKANSAS, STATE OF MISSISSIPPI [indirectly] by Desoto County Sheriff, Director, PHIL BRYANT [at time of alleged action] are imputed and serve to bind both, STATE OF ARKANSAS, STATE OF MISSISSIPPI and Desoto County Police, Bill Rasco, directly or indirectly in violation of MC 99-3-1.

23 It is the official policy of Desoto County Sheriff, STATE OF MISSISSIPPI and Desoto County Police, J. Bigham, to arrest citizens who freely upon the highways and be targeted by a BOLO without law is forced slavery, violation of the Constitution of Mississippi, and Constitution of the United States too.

24 In the alternative, the manner in which STATE OF MISSISSIPPI, STATE OF ARKANSAS; Desoto County Police, J. Bigham, Police State officials are trained, including the design and implementation of training programs and the follow-up supervision of trainees, is a matter of policy.

25 These actions committed have become widespread to recognize the quality of custom or usage Mississippi. The official duty of final policy makers of STATE OF Mississippi and Desoto County Sheriff, . . . inter alia, to be informed of custom or usage and, such policy makers had manifest opportunities to be informed.

26 The actual or constructive knowledge of the existence of this custom or usage and intentionally or with deliberate indifference, failed to correct or stop the practices and thus condoned it. This condonement may fairly be attributed in part to STATE OF MISSISSIPPI, Sheriff Bill Rasco, and Desoto County Police, Deputy Charles Mahon

27 The actions committed deprived petitioner of his Constitutional Privileges and Immunities to adequate allowance of Constitutional Right to not be seized anywhere without law is furtherance of an official policy, custom or usage of STATE OF MISSISSIPPI, and Desoto County Police, Deputy Charles Mahon; such official policy, custom, or usage was direct and proximate cause of such deprivation.

28 GOVERNORS are not entitled to qualified, sovereign immunity because of the purchase of "Bond Insurance".

29 Desoto County Police, Sheriff Bill Rasco in ITS official capacity is a person within the meaning of 42 USC 1983.

30 Such conduct poses a pervasive and unreasonable risk of Constitutional violations and injury- such are the violations here; to petitioner. Mississippi, Desoto County Sheriff had actual constructive knowledge given to him from state officers, who knew or should have known having a meeting of the minds, Bill Rasco all decided to engage in conduct that posed pervasive and unreasonable risk of Constitutional violations and injury to petitioner.

31 The deliberate indifference to, or tacit authorization of, such unconstitutional conduct shows the response of actual or constructive knowledge of this pervasive and unreasonable risk of Constitutional violation and injury to petitioner.

32 A reasonable person in the position of defendants would have known that his or her actions violated petitioner's Article 4, section 2 Constitutional Privileges and immunities along with certain state statutory provisions.

33

34 Treble damages are entitled to be given to petitioner for such wrong or injury pursuant to Arkansas Law and Mississippi Law.

35 Petitioner is entitled to recover damages against STATE OF MISSISSIPPI, Oath and Bond Officer Mahon, Desoto County Police, Sheriff Bill Rasco, bonds' pursuant to Mississippi law

36 Defendants' conduct was willful or wanton in that it constituted the conscious and intentional disregard of, and indifference to, the privileges and immunities, of petitioner, which said defendants knew, or should have known, was reasonably likely to result in injury, damage, or IRREPARABLE harm.

CAUSE OF ACTION

1 This is an action under 42 USC 1983, 1985 for the deprivation of rights and denial of petitioner privileges and immunities afforded from Article 4, sec.2 Constitution of the United States Denied. Plaintiff also claims relief from within *RICO* and State and Federal Law i.e. 42 USC 1973; *Anderson v. United States* 411 US 211(1974); 18 USC 241, 242; ARA 7-1-103; AR5-53-131; 52 USCA 10301.

2 Deputy Charles Mahon , and Mississippi and are being sued separately in their official capacities.

Sheriff Bill Rasco was responsible for supervising the training, instruction, discipline, and conduct of Desoto County Police, Lake Village Police including, but not limited to training, instruction, discipline, control, and conduct concerning jurisdiction, Constitution; Constitution of Mississippi provisions for PROTECTING Citizens rights to not be placed on BOLO list and profiled and arrested without any Court order, order, sentencing conviction to become a 'Fugitive From Justice' as listed in "Booking Report" 2009090613 of Desoto County.

4 Desoto County Deputy Charles Mahon ; STATE OF MISSISSIPPI, STATE OF ARKANSAS was responsible for instituting policy for the entering persons names into the NCIC or ACIC, which includes, but not limited to, setting policy guidelines for training for officers to enter convicted persons into the NCIC or ACIC where petitioner was not convicted to be subject and placed in the NCIC or ACIC so; who told ARKANSAS STATE POLICE OFFICER to put petitioners name in the National instead of the Local or State system. Who told Mississippi Desoto County Sheriff, to put out a BOLO as a "Fugitive From Justice", what "Federal Crime" did petitioner violate or "Abscond" is evidence of a "Policy" and "Custom" to do this.

5 The established policy has created a custom to enter any person or Citizen who is free in enjoyment of right to travel, not be seized in Mississippi for any reason. Desoto County Police, Lake Village Police; STATE OF MISSISSIPPI, STATE OF ARKANSAS is responsible for the established climate and custom that allows State Police Officers to use deliberate unreasonable entering the name into a National Crime database overstepping the State Criminal database for personal satisfaction because he wanted to in violating the 42 USC 1983, 1985 and denying Petitioner access the 4th Amendment because petitioner is exercising his free enjoyment of the Constitution of the United States privilege, in connection with the Constitution of Arkansas.

9 Desoto County Police, Lake Village Police violated Title 99 of the Mississippi Code in the illegal arrest of petitioner who was not convicted and had no charge on him to be arrested in violation of MC 99-3-19 because there was on warrant. Violation of MC 99-3-15 where petitioner was not in jail before hand to escape to allow defendants to arrest petitioner and violation of MC 99-3-7 where no warrant was in the system and no arrest can be made because of no crime, conviction, escaped from jail thus the actions of defendants are unconstitutional where the Constitution of Mississippi and Arkansas makes no provisions to arrest a person from an illegal entering into the NCIC by a state officer.

7 Under 18 USC 241, 242; MCA 99-3-7; MCA 99-3-19; USC 1983, 1985, at all times pertinent, Desoto County Police, Charles Mahon ; STATE OF MISSISSIPPI, STATE OF ARKANSAS; was responsible for providing and maintaining advocacy of unlawful acts by groups or individuals against other persons or groups, in this case, by Desoto County Police, Desoto County Sheriff directly or indirectly allowed, authorized the provoking and inciting damage, creating false arrest database records, created false and misleading public notification database on petitioner, which action is not constitutionally protected, poses a threat to public order and Constitution of Arkansas, Constitution of the United States and 18 USC 241, 242; 7-1-103; 5-53-131; 42 USC 1983, 1985 inter alia, and should be subject to criminal sanctions; Also, the deliberate and willful intention of Desoto County Police, Lake Village Police; STATE OF MISSISSIPPI, Desoto County Sheriff, to conduct behavior by depriving petitioners Right.

8 Desoto County Police, County Sheriff ; STATE OF MISSISSIPPI, STATE OF ARKANSAS has final policy making authority regarding the provisions on deprivation of rights and conspiracy against rights inter alia.

9 Defendant Governors are residents of Mississippi, Arkansas. At all times Governors were duly elected and hired and acting directors of Desoto County Police, Bill Rasco, , STATE OF MISSISSIPPI.

10 Desoto County Police, Lake Village Police; STATE OF MISSISSIPPI, STATE OF ARKANSAS has allowed ARKANSAS STATE POLICE OFFICER to perform the entering persons names into the NCIC and ACIC database, train workers, set policy, which has established certain customs that violate the Constitution of Arkansas and Constitution of the United States. By creating injury to the 42 USC 1983, 1985; Article 4, sec. 2 Constitution of the United States inter alia.

11 At all times pertinent, Governors, recruited Bill Rasco, Desoto County Sheriff to conspire, as a group, had a meeting of the minds, possessing the power to allow petitioner to be safe by depriving his rights and conspired against his rights or stop the established train of abuse who was suppose to allow any Citizen un deprived right nor conspire against that right unto petitioner. They carry this authority to make sure all of the orders, rules, instructions, policies and regulations promulgated are with the meaning of 18 USC 241, MCA 99-3-15 MCA 97-3-54.4; 42 USC 1983, 1985 inter alia. They failed to stop the action that caused this suit of complaint, because they knew before hand to put out a BOLO and enter "Fred Smith" into the National Criminal Database skipping over the States Criminal Database thus verifying and perpetuating the violations listed and to be discussed or laid out.

DELIBERATE DISREGARD OF STATE LAW

5 Bill Rasco, Desoto County Sheriff did not seek a copy of a grand jury indictment per *pre-requisite* MCA 97-17-33

6 There was no finding of guilt MCA 97-17-29, that would allow the actions taken by Desoto County Police, Lake Village Police, who should have known or knew that you cannot arrest someone on the street by pulling their automobile over and arresting them without probable cause as STATE OFFICERS, recruit conspirators, OR that Governors knew or should have known, to conduct a meeting of the minds and devote time to make phone calls the local police of Mississippi to deprive the right of a State Representative and conspire against that right is treason against Mississippi State, Deputy Charles Mahon

7 Desoto County Police arrested petitioner and kept him jail for 3 days then contacted Lake Village Police to come get him and he stayed in jail there for 4 days. By entering his name into a National Database for National Crimes that petitioner was never charged in what so ever any time or anywhere. Furthermore, enter petitioners name in the ACIC which he did not because he wanted to "Punish" petitioner without cause, for the sake of the enterprise Desoto County Police, Lake Village Police and STATE OF MISSISSIPPI,

9 Desoto County Police, Lake Village Police violated Title 99 of the Mississippi Code in the illegal arrest of petitioner who was not convicted and had no charge on him to be arrested in violation of MC 99-3-19 because there was on warrant. Violation of MC 99-3-15 where petitioner was not in jail before hand to escape to allow defendants to arrest petitioner and violation of MC 99-3-7 where no warrant was in the system and no arrest can be made because of no crime, conviction, escaped from jail thus the actions of defendants are unconstitutional where the Constitution of Mississippi and Arkansas makes no provisions to arrest a person from an illegal entering into the NCIC by a state officer.

COMPUTER FRAUD

1 Desoto County Police, by entering the name of petitioner into the national crime database NCIC he committed a "Computer Crime". They participated without authorization from the FBI or other Federal Government agency to do so, he just "Did it on a whim" with no regard for law, and in the absence of law.

2 The action was "Deliberate" because petitioner was arrested by a State officer being he did not place the name of petitioner in the State Criminal database -ACIC he went to the National Criminal Database to inflict Irreparable Harm, Criminal Intent,

deliberate abuse of authority, willful criminal intent to damage, secret personal criminal damage.

- 3 **Computer fraud** is the use of a computer to take or alter data, or to gain unlawful use of computers or services. In the United States, computer fraud is specifically proscribed by the Computer Fraud and Abuse Act, which provides jail time and fines. Desoto County Police, Lake Village Police participated who entered the name Fred Smith into the NCIC database that only is for National Crimes of "Convicted Felons": NCIC is this: How NCIC is used: Criminal justice agencies enter records into NCIC that are accessible to law enforcement agencies nationwide. For example, a law enforcement officer can search NCIC during a traffic stop to determine if the vehicle in question is stolen or if the driver is wanted by law enforcement. The system responds instantly. However, a positive response from NCIC is not probable cause for an officer to take action. NCIC policy requires the inquiring agency to make contact with the entering agency to verify the information is accurate and up-to-date. Once the record is confirmed, the inquiring agency may take action to arrest a fugitive, return a missing person, charge a subject with violation of a protection order, or recover stolen property. Herein, Desoto County Sheriff Bill Rasco got no verification; he was the one who put the information into the system to falsely show Fred Smith was a "Fugitive From Justice" which is horrific.

KNOWINGLY OR RECKLESSLY MAKING A FALSE REPRESENTATION

- 1 Desoto County Police, **J. Bigham** Police entered an "intentional" false and misleading representation of a crime against petitioner to show he was absconding from a Court order or probation showing petitioner was a convicted Felon which he was not, into the NCIC computer system by going into the system where no one knew and created the crime of "FUGITIVE FROM JUSTICE" under "Booking Report Number" 2009090613 of Desoto County Sheriffs' Office behind the face of the Sheriff on September 23rd 2009 from no authorization to do so meaning no delegated order of authority.
- 2 This act of ARKANSAS STATE POLICE OFFICER was not his opinion, but his personal biased & prejudice to take over the National Criminal Database and destroy the integrity of the Judicial System where took on and became a "Vigilante of Justice" like *Charles Bronson's* movies; which is scary, chilling to the bone and frightful that a State Police of Arkansas in today's climate of police brutality raging... here in Arkansas too being no different than a Desoto County Police, Lake Village Police took over the legal system, Desoto County Sheriff: "The Enforcer".
- 3 To make petitioner his personal slave by orders from a State Official to do and commit such action shocks the conscious beyond mental reasoning.

- 4 The "Presently Existing Fact" was created and established by Desoto County Police, Sheriff Bill Rasco without law, deliberately against petitioner with the intent to cause irreparable harm where his ultimate ends were justifiable as listed in *S. vs. Emerson, 259 P.2d 406 (1953)*.
- 5 ARKANSAS STATE POLICE OFFICER with Desoto County Police, Police deliberately put Fred Smiths' name in to the NCIC as a Fugitive from Justice is a Criminal act. Petitioner has not been involved in any National crime action but was placed into the National Database to make him look like a "Criminal on The Run" by Desoto County Police, Sheriff Bill Rasco in that defendant went beyond the law, and abused his authority, "impersonated a Judge" by crafting the paper work showing Fred Smith 'guilty' and a fugitive from justice is fantastic.

FORGERY

- 1 Desoto County Deputy Charles Mahon committed the false making or altering of a legally significant instrument with the intent to defraud by participating in entering the name of petitioner into a National Criminal Database where petitioner was not a Federal Criminal with a record of a criminal Conviction nor was petitioner a State Criminal with a record of a criminal Conviction in Mississippi
- 2 Desoto County Police, Charles Mahon, claimed a "false authority" where he fraudulently and materially altered the NCIC Criminal Database *Gilbert vs. U.S., 370 U.S. 650 (1962)*.
- 3 The *Mens Rea* of Deputy Charles Mahon, Sheriff Bill Rasco Desoto County Police, was to enter petitioners name into the National Criminal Database and by pass the Arkansas Criminal Database to punish petitioner egregiously, matter-of-factly, to harm and give petitioner a criminal record where no past criminal behavior exists on petitioner was a clear and effective scheme of Desoto County Police, Lake Village Police that rises to the level of RICO and petitioner here claims the cause of RICO against the Desoto County Police, Governors, for the acts of respondent superior.

BREACH OF SECURITY AND MISCONDUCT ON DUTY

- 1 ***NCIC Security and quality controls:*** *The head of the CJIS Systems Agency—the criminal justice agency that has overall responsibility for the administration and usage of NCIC within a district, state, territory, or federal agency—appoints a CJIS Systems Officer (CSO) from its agency. The CSO is responsible for monitoring system use, enforcing system discipline and security, and assuring that all users follow operating procedures. NCIC policy establishes a number of security measures to ensure the privacy and integrity of the data. The information passing through the network is encrypted to prevent unauthorized access. Each user of the system is authenticated to ensure proper levels of access for every transaction. To further*

ascertain and verify the accuracy and integrity of the data, each agency must periodically validate its records. Agencies also must undergo periodic audits to ensure data quality and adherence to all security provisions.[Pursuant to FBI Web Site on NCIC].

- 2 Desoto County Police, Bill Rasco Police who had a appointed CJS officer who was to monitor the system where they knew or should have known that a rogue officer named Desoto County Sheriff who went against the "NCIC Policy" where he was "authenticated" but used that authorization for him and his conspirators desires to damage, harm, abuse, violate petitioner without cause is racial profiling, MCA 97-3-53 Kidnappingpetitioner
- 3 Desoto County Police, Bill Rasco Sheriff failed to train, supervise, instruct, guide in the proper procedures of entering persons into the NCIC who are "Convicted Felons" and the aforementioned employer failed to instill and impart into Desoto County Officer Charles Mahon to "integrity" to mimic and copy for the sake of protecting the laws Mississippi, Rights of the Citizens of Arkansas, Privileges & Immunities as possessed pursuant to Article 4, sec. 2 Constitution of the United States.
- 4 Desoto County Deputy Charles Mahon, violated the proper levels of access for every transaction where he entered false and misleading information to show petitioner was a 'Fugitive from Justice' where petitioner never went before a judge to be sentenced to probation or placed on parole... to not show up for his meeting and abscond to then be a "Fugitive From Justice", this never happened but ARKANSAS STATE POLICE OFFICER from instructions from Bill Rasco and Deputy Charles Mahon violate your "Authenticated" status damage the integrity of the data, and type in the system that Fred Smith is a "Fugitive From Justice" is a wicked, despicable, disgusting, rotten abuse of power to the 10th power, in complete disregard of law, Constitutions, policy and custom of FBI s' NCIC system.

CONCLUSION

Award damages to be determined by the court for the breach of Desoto County Police, STATE OF MISSISSIPPI, Bill Rasco Sheriff actions of fraud, conspiracy, deprivation of rights, conspiracy against rights, racketeering,

A Petitioner hereby for the record and let the record reflect there was no conviction to authorize an arrest of petitioner.

B There is no evidence of a National Felony Absconding from a State record of Conviction of a crime against petitioner.

C Any other relief the Commission deems just and proper.

CONCLUSION

Award damages to be determined by the court for the breach of DESOTO COUNTY SHERIFF DEPARTMENT, Officers Post, Mohon, Perkins and Hendrix actions of fraud, conspiracy, deprivation of rights, conspiracy against rights, racketeering,

A Petitioner hereby for the record and let the record reflect there was no valid detainer warrant to authorize confiscation of home of petitioner by eviction.

B Any other relief the Commission deems just and proper.

C Award "compensatory damages", "treble damages", "Punitive damages" against DESOTO COUNTY SHERIFF DEPARTMENT as Respondent Superior; William Drinkwater for creation of a 'custom & policy' within the Desoto County where DESOTO COUNTY SHERIFF DEPARTMENT officers followed in conspiracy is egregious.

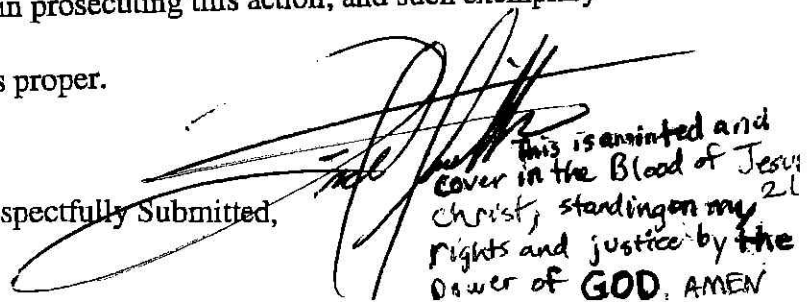
RELIEF SOUGHT

28. WHEREFORE Plaintiff Smith demands judgment against the defendants, jointly and severally, as follows:

- a.) as compensatory damages, the sum of \$350,000.00
- b.) as punitive damages for the Plaintiff's reputation, the sum of \$ 500,000.00 for the Defendants willful, arbitrary and negligent actions in treble damages for each;
- c.) that emotional damages be imposed for the Plaintiff's emotional distress in restitution for his economic losses in the sum of \$ 500,000.00 ,for his personal property and stress upon his family life;
- d.) Attorneys' fees imposed in prosecuting this action; and such exemplary damages the Court deems proper.

Frederick Smith, Pro Se
P.O.Box 303
Crawfordville, AR 72327
901-5

Respectfully Submitted,


This is anointed and
cover in the Blood of Jesus
Christ, standing on my
rights and justice by the
power of GOD. AMEN

COPY



EX2

Arkansas Crime Information Center

April 22, 2013

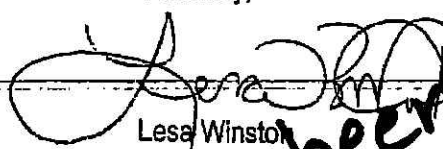
Dear Mr. Fredrick Smith,

We are in receipt of your request for criminal history information. Based on the information you provided there is no State Identification Number for the state of Arkansas. Therefore, you do not have a Arkansas state criminal history on file.

We did recover information that indicates that there may be a criminal history record obtained through the state of Mississippi. Please contact the Mississippi Department of Law Enforcement at 601-933-2600. Please contact the Federal Bureau of Investigation at 304-625-3878 to obtain a copy of the NCIC criminal history information.

If additional information is needed, please contact me at 501-682-2122.

Sincerely,


Lesa Winston
Senior Manager
Criminal History Division

LW:lw

cc: File

I never been convicted in Arkansas or Mississippi, of a crime an have no criminal history in either state, until I was Kidnap by Desoto County Sheriff, Racial Profile! Racial Discrimination

* make copy

S2009-0099WD

GENERAL AFFIDAVIT
THE STATE OF MISSISSIPPI
DESOTO COUNTY

BEFORE ME, CELESTE WILSON, DESOTO COUNTY COURT JUDGE

IN THE COUNTY COURT OF DESOTO COUNTY:

Ofc Charles Mohon A DEPUTY SHERIFF, DESOTO COUNTY SHERIFF'S DEPARTMENT, MAKES
AFFIDAVIT THAT

RED SMITH

IS A FUGITIVE FROM JUSTICE FROM THE STATE OF ARKANSAS WHERE HE IS CHARGED WITH

THEFT OF PROPERTY

HAS IN DIRECT VIOLATION OF THE MISSISSIPPI CODE ANNOTATED AS AMENDED

FUGITIVE FROM JUSTICE (99-21-1)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 11 DAY OF September 2009

Charles Mohon
makeup a false affidavit, and I was a fugitive from
Justice, and then years later, the same
deputy sheriff, Charles Mohon, is at my
door give me and my wife a citation
from a bogus, and void detainer warrant.
Deputy Charles Mohon, violated his
Oath of Office

CELESTE WILSON
DESOTO COUNTY COURT JUDGE

FILED

SEP 23 2009

Shale H. Thompson
CIRCUIT COURT CLERK, DESOTO COUNTY, MISS

112/354

S2009-0099WD

**BENCH WARRANT
THE STATE OF MISSISSIPPI
DESOTO COUNTY**

TO ANY LAWFUL OFFICER OF DESOTO COUNTY:

WE COMMAND YOU, FORTHWITH TO TAKE THE BODY OF:

FRED SMITH

**AND BRING HIM BEFORE THE UNDERSIGNED, COUNTY COURT JUDGE, DESOTO COUNTY,
MISSISSIPPI TO ANSWER TO THE STATE OF MISSISSIPPI ON A CHARGE OF:**

FUGITIVE FROM JUSTICE (99-21-1)

WITNESS MY HAND THIS THE 23 DAY OF SEPTEMBER 2009



**CELESTE WILSON
DESOTO COUNTY COURT JUDGE**

**I HAVE THIS DAY EXECUTED THIS BENCH WARRANT BY PERSONALLY SERVING A TRUE COPY
OF THIS WARRANT TO FRED SMITH THE 23 DAY OF SEPTEMBER 2009.**

**BILL RASCO, SHERIFF
DESOTO COUNTY, MISSISSIPPI**

*Charles Mohon, Deputy Sheriff, Bench
make up a false, affidavit and I was a
warrant, an sworn to that I was a
Fugitive From Justice, when Arkansas
state Police enter me in the NCIC and
not ACIC with no warrant I, FRED
Smith never ever had a crimin
history, an never been...
Convicted*

**FILED
SEP 23 2009**

**H. H. H. H.
CIRCUIT COURT CLERK, DESOTO COUNTY, MISS**

12/353

09-266-6007-13

COPY

BOOKING REPORT

DESOTO COUNTY SHERIFF'S OFFICE

EXL Date: 07/06/2012

Page:

BOOKING NO. 2009090613 R&I NUMBER: 148510 TANK: C-TA BUNK01

DEFENDANT NAME

SMITH, FRED

RACE	SEX	BIRTH DATE	SOCIAL SECURITY NO
BLACK	Male	11/15/1970	430-27-8189
AGE	EYES	HAIR	LENGTH
38	BRO	BLK	SHORT
HEIGHT	WEIGHT	BUILD	SKIN TONE
6' 6"	235	Large	DRK

SCARS/MARKS/TATTOOS
TATTOO ON LEFT LOWER LEG

ADDRESS	HOME PHONE	FBI NUMBER
7601 BROKEN HICKORY DR	901-406-6631	NONE
WALLS	MS 38630-	STATE NUMBER
		NONE

OCCUPATION

OWNER

EMPLOYER	WORK PHONE	EMERGENCY CONTACT
SAVE OUR KIDS	901-406-6631	TASHA SMITH
ARRESTING OFFICER	DATE	TIME
BIGHAM, J	09/23/2009	22:15

ARRESTING OFFICER

BIGHAM, J

BOOKING OFFICER

THOMAS JONES

CLASSIFICATION	RESPONSIBLE COURT	COURT DATE	UCR CODE	REIDENT
M1B	COUNTY COURT	11	2	This Jurisdiction

PHONE CALL(S) MADE	1. 688-781-0001	2. NON-E	3. NON-E
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AGENCY BILLET	BIRING DATE	DISPOSITION	SENTENCE LENGTH	SENTENCE DATE
DOB	09/24/2009	CLOSED	YEARS	11

SCH. BASE DATE	ACTUAL RELEASE DATE	HOW RELEASED	RELEASED TO
11	09/24/2009	TRANSFERRED FOR PICK UP	COCO COUNTY ARK

PLACE OF BIRTH	RELEASED BY
WEST MEMPHIS	WENNER STEWARD

COURT	PAI CHARGE	BOND	DISPOSITION & DATE
-------	------------	------	--------------------

COURT	FUGITIVE FROM JUSTICE	BOND	0.00 Other
-------	-----------------------	------	------------

COURT	WAIVER SIGNED 09-23-2009	BOND	0.00 Other
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TOTAL BOND \$ 0.00

Date: 07/06/2012

Page: 1

ARREST REPORT

ARREST NO.: 2009090613

DESOTO COUNTY SHERIFF'S OFFICE

CASE NO.:

NAME OF PERSON ARRESTED SMITH, FRED		ALIAS OR NICKNAME(S)		ARREST DATE 09/22/2009	
ADDRESS OF SUSPECT 7601 BROKEN HICKORY DR - WALLS, MS 38680-		OCCUPATION OWNER		TIME 22:15	
SOCIAL SECURITY NO 430-27-8189	STATE MS	DRIVERS LICENSE NUMBER 8002182208	TYPE REG	EXPIRES	CITIZENSHIP US
BUILD Large	BIRTH DATE 11/13/1970	RACE BLACK			
AGE 38	SEX Male	EYES BRO	HAIR BLK	LENGTH SHORT	HEIGHT 6'0"
WEIGHT 235	BIRTH PLACE WEST MEMPHIS	WHERE ARRESTED LIBERTY EST ON HWY 301			
HOW ARREST MADE Warrant		COUNTY COUNTY COURT		MAR.S M	
WEAPON (IF ARMED) NONE		GANG		<input type="checkbox"/> Drugs <input type="checkbox"/> Fire <input type="checkbox"/> Spit at Officers <input type="checkbox"/> Intimidating <input type="checkbox"/> Resisted <input type="checkbox"/> Under Influence	
OFFENSE(S) SUSPECTED OR CHARGED FUGITIVE FROM JUSTICE		OFFENSE DATE 09/22/2009		FILE NUMBER 148940	
VEHICLE INVOLVED	YEAR	MAKE & MODEL	STYLE	COLOR	LICENSE NO. STATE
PREVIOUS ARREST(S) 2009090613 - 09/22/2009 - FUGITIVE FROM JUSTICE		OTHER PERSONS ARRESTED FOR SAME OFFENSE			
PROPERTY PLACED IN PROPERTY ROOM		VALUE			
NAME OF COMPLAINANT		ADDRESS		FIRST PHONE OTHER PH	
WITNESSES NAME		BEST CONTACT ADDRESS		FIRST PHONE OTHER PH	
1.				FIRST PHONE OTHER PH	
2.				FIRST PHONE OTHER PH	
STATUTE CODE	CHARGE DESCRIPTION		DISPOSITION	FINE	BOND
X	FUGITIVE FROM JUSTICE		Other	\$ 0.00	\$ C
X	WAIVER SIGNED 09-23-2009		Other	\$ 100	\$ C
OFFICER'S NARRATIVE					
ARRESTING OFFICER BIGHAM, J		REPORT MADE BY		FINAL DISPOSITION	

How can you be a Fugitive From Justice and make you a Convicted Criminal when I never

ARREST

EX 1

COPY



EX2

Arkansas Crime Information Center

April 22, 2013

Dear Mr. Fredrick Smith,

We are in receipt of your request for criminal history information. Based on the information you provided there is no State Identification Number for the state of Arkansas. Therefore, you do not have a Arkansas state criminal history on file.

We did recover information that indicates that there may be a criminal history record obtained through the state of Mississippi. Please contact the Mississippi Department of Law Enforcement at 601-933-2600. Please contact the Federal Bureau of Investigation at 304-625-3878 to obtain a copy of the NCIC criminal history information.

If additional information is needed, please contact me at 501-682-2222.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lesa Winston", written over a horizontal line.

Lesla Winston
Senior Manager
Criminal History Division

LW:lw

Cc: File

*NO criminal history
Never been Convicted*

STATE OF ARKANSAS



To All to Whom These Presents Shall Come-Greeting:

Know Ye, That Whereas, It appears that

Fred Smith

was duly elected State Representative District 50 in and for the State of Arkansas, at an election held on the sixth day of November, Two Thousand Twelve

Therefore, I, Mike Beebe, Governor of the State of Arkansas, in the name and by authority of the people of the State of Arkansas, vested in me by the Constitution and the laws of said State do hereby commission the aforementioned to the office of

State Representative District 50

in and for the State of Arkansas for and during the term prescribed by the laws of the State.

Fred Smith, therefore, hereby authorized to and perform all and singular the duties incumbent upon the office of

State Representative District 50

in and for the State of Arkansas, according to law and the trust reposed in said office.

In Testimony Whereof, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed at Little Rock, this fourteenth day of January, in the year of Our Lord, Two Thousand Thirteen.



Mike Beebe
Mike Beebe, Governor

Mark Martin

Mark Martin, Secretary of State

How can I serve jail time as a fugitive of justice and criminal in Desoto County and still become a PRK. State Representative as a convicted Felony?
Desoto County Sheriff

RECEIVED

12:05 PM

MAR 27 2013



Mark Martin
Arkansas Secretary of State
Business and Commercial Services Division

UCC Transmitting Utility - Initial

Date Filed: 3/27/2013 12:05 PM

Page(s): 4

Filing ID: 40000066362118
Document ID: 3343041007

UCC FINANCING STATEMENT

Arkansas

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

Secretary of State

A. NAME & PHONE OR CONTACT AT FILER (optional)

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Frederick Smith
P.O. Box 303
Crawfordsville, AR 72327

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - Insert only one debtor name (1a or 1b) - do not abbreviate or combine names

1a. ORGANIZATION'S NAME

Smith

Frederick

OR

1b. INDIVIDUAL'S LAST NAME

SMITH

FIRST NAME

FREDERICK

MIDDLE NAME

SUFFIX

1c. MAILING ADDRESS

2804 AUTUMN

CITY

WEST MEMPHIS

STATE / POSTAL CODE

AR 72327

COUNTRY

USA

1d. SEE INSTRUCTIONS

ADD'L INFO RE ORGANIZATION

1e. TYPE OF ORGANIZATION

ENSOLE

1f. JURISDICTION OF ORGANIZATION

PRIVATE

1g. ORGANIZATION ID #, if any

10370028216

NONE

2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - Insert only one debtor name (2a or 2b) - do not abbreviate or combine names

2a. ORGANIZATION'S NAME

OR

2b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

2c. MAILING ADDRESS

CITY

STATE / POSTAL CODE

COUNTRY

2d. SEE INSTRUCTIONS

ADD'L INFO RE ORGANIZATION

2e. TYPE OF ORGANIZATION

2f. JURISDICTION OF ORGANIZATION

2g. ORGANIZATION ID #, if any

NONE

3. SECURED PARTY'S NAME (a) NAME OF TOTAL ASSIGNEE (ASSIGNOR'S) - Insert only one secured party name (3a or 3b)

3a. ORGANIZATION'S NAME

OR

3b. INDIVIDUAL'S LAST NAME

Smith

FIRST NAME

Frederick

MIDDLE NAME

SUFFIX

3c. MAILING ADDRESS

P.O. Box 303

CITY

Crawfordsville

STATE / POSTAL CODE

AR 72327

COUNTRY

USA

4. This FINANCING STATEMENT covers the following collateral:

This is the Actual and Constructive Notice that all of the Debtor's assets, possessions, land, licenses, resources, personal property and interest, and all of debtors right in said assets, possessions, land, licenses, resources, personal property and interest now held hereafter acquired is hereby accepted as collateral for securing contractual obligations in favor of Secured Party as detailed in true, correct, complete, notarized Security agreement (#sa0430278199fd) in the possession of the Secured Party. Notice in accordance with UCC-Property- this the entry of the Debtor in the COMMERCIAL REGISTRY as a transmitting utility and the following property is hereby registered in the same as public notice of the commercial transaction Certificate of Birth document #10370028216 UCC Contract trust Account 430-27-8199; Auto TRIS&CUSIP Number 430-27-8199; Employer Identification Number 430-27-8199; Exemption Identification Number 430278199; Arkansas Driver's License #931821371; Personal UCC Contract Trust Setoff Account RA177699706US in the Amount of \$ unlimited; Twenty-Two Dollars (\$22) Silver Coins. All Rights, title(s) and interest in the Birth Certificate #10370028216 as received by the State Of Arkansas (see addendum for additional UCC Ad)...

Maximum principal indebtedness for Arkansas recording tax purposes is \$

5. ALTERNATIVE DESIGNATION (if applicable):	LESSEE/LESSOR	<input checked="" type="checkbox"/> CONSIGNEE/CONSIGNOR	BAILEE/BAILOB	SELLER/BUYER	AG. LIEN	NON-UCC FILING
6. THIS FINANCING STATEMENT is to be filed (or recorded) in the REAL ESTATE RECORDS. Attach Addendum (if applicable)	7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) (optional)		All Debtors Debtor 1 Debtor 2			
8. OPTIONAL FILER REFERENCE DATA						

UCC FINANCING STATEMENT ADDENDUM

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

9. NAME OF FIRST DEBTOR (1a or 1b) ON RELATED FINANCING STATEMENT

OR 9a. ORGANIZATION'S NAME

OR

9b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME, SUFFIX

SMITH

FREDERICK

10. MISCELLANEOUS

DEBTOR is a fictional LEGAL ENTITY created by the state.
 SECURED PARTY is a natural person, human being living on
 Tennessee soil. Social Security Number & Taxpayer Identification
 Number (SSN/TIN) assigned to DEBTOR, LEGAL ENTITY,
 FREDERICK SMITH: 430-27-8199. Unidentified number
 printed in RED ink on reverse side of Social Security card issued by
 Social Security Administration to DEBTOR: E42664521.

DO NOT WRITE IN THIS SPACE FOR FILING OFFICE USE ONLY

11. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME (insert only one name or 11b) - do not abbreviate or use initials

11a. ORGANIZATION'S NAME

OR

11b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

11c. MAILING ADDRESS

STATE

POSTAL CODE

COUNTRY

11d. SEE INSTRUCTIONS

ADD'L
ORGANIZATION
DEBTOR

11e. TYPE OF ORGANIZATION

11f. JURISDICTION

ORGANIZATION

11g. ORGANIZATIONAL ID #, if any

NONE

12. ADDITIONAL SECURED PARTY'S or SIGNOR S/P'S NAME (insert only one name (12a or 12b))

12a. ORGANIZATION'S NAME

OR

12b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

12c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

13. THIS FINANCING STATEMENT is a ☐ lien on ☐ title to be out of ☐ lien extracted collateral, or is filed as a ☐ lien on ☐ title.

14. Description of real estate

Real Property: 7601 Broken Hickory
 wall miss. 38680.
 LOT 28, 1st Addition Ranch Meadows
 subdivision, Located in section
 25, TOWNSHIP 1 South, Range 9
 West, Desoto County, Mississippi,
 Recorded in PLATBOOK 58, In
 CHANCERY CLERK of Desoto,
 county MBS, owner: Frederick Smith

15. Name and address of a RECORD OWNER of above-described real estate (if Debtor does not have a record interest):

OWNER: Frederick Smith,
 Deed of Trust + Real Property

16. Additional collateral description:

(continued from Form UCC1Ad item 4, page 2 of 3) and/or
 endorsements, facsimiles, printed, typed, or photocopied of owner's
 name as predicated on the "Straw man," LLC (ENS/LEGIS)
 described as DEBTOR. Secured Party's collateral claim is
 enumerated in detail and bound by private contract pursuant to a
 duly executed/notarized Security Agreement (#SA-04302781991d) in
 possession of Secured Party. Private contract and Security
 Agreement gives Secured Party a total assignment of all of
 DEBTOR's assets, possessions, property, resources and licenses, etc.
 All property is accepted for value and is exempt from levy. All
 proceeds, revenues, incomes, compensations, products, accounts, fixture
 s and orders there from are released to Secured Party as authorized
 representative of DEBTOR. By explicit reservation, Secured Party is
 neither guarantor nor surety to any other account. Legislative
 authority and statutory basis for this UCC collateral, collateral
 assignment filing includes: Public Policy Act of
 Congress, House Joint Resolution 192, codified at 48 Stat. 112 (June

17. Check only if applicable and check only one box:

Debtor is a ☒ Trust or ☐ Trustee acting with respect to property held in trust or ☐ Decedent's Estate

18. Check only if applicable and check only one box:

☒ Debtor is a TRANSMITTING UTILITY
☐ Filed in connection with a Manufactured Home Transaction -- effective 30 years
☐ Filed in connection with a Public Finance Transaction -- effective 30 years

International Association of Commercial Administrators (IACA)

STATE OF ARKANSAS

Certificate Number

Arkansas, District No.

ARKANSAS STATE DEPARTMENT OF HEALTH
OFFICE OF THE STATE REGISTRAR
CERTIFICATE OF LIVE BIRTH

003 100 028216

PLACE OF BIRTH A. COUNTY B. CITY, TOWN, OR LOCATION		USUAL PLACE OF RESIDENCE OF MOTHER (IF NOT THE SAME AS BIRTHPLACE) C. COUNTY D. CITY, TOWN, OR LOCATION	
E. EMPLOYER		F. STREET ADDRESS	
G. NAME OF HOSPITAL OR INSTITUTION		H. ADDRESS (MEMORIAL ADDRESS)	
I. PLACE OF BIRTH INSIDE CITY LIMITS		J. RESIDENCE INSIDE CITY LIMITS	
K. NAME OF FATHER		L. NAME OF MOTHER	
M. THIS BIRTH		N. BIRTH DATE (MONTH, DAY, YEAR)	
O. TIME OF BIRTH		P. COLOR OF SKIN	
Q. SEX		R. BIRTHPLACE (STATE OR FOREIGN COUNTRY)	
S. WEIGHT		T. LENGTH	
U. HEAD CIRCUMFERENCE		V. ARM CIRCUMFERENCE	
W. LEG CIRCUMFERENCE		X. HEART BEATS PER MINUTE	
Y. PREGNANT PERIOD		Z. BIRTH WEIGHT	
AA. BIRTH DATE		AB. BIRTH TIME	
AC. BIRTH PLACE		AD. BIRTH DATE	
AE. BIRTH TIME		AF. BIRTH PLACE	
AG. BIRTH DATE		AH. BIRTH TIME	
AI. BIRTH PLACE		AJ. BIRTH DATE	
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OE. BIRTH DATE		OE. BIRTH TIME	

Prepared By
Fred Smith
C/o 7601 Broken Hickory
Walls, Mississippi State

PROMISSORY NOTE OF RELEASE OF MORTGAGE/DEED OF TRUST

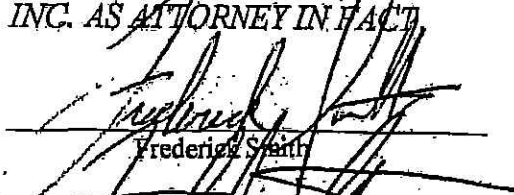
Property: 7601 BROKEN HICKORY

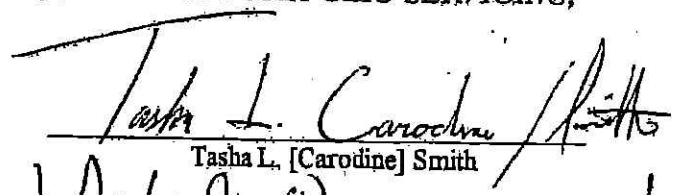
Instrument: Book: 4,098 Page: 778

BE IT KNOWN TO ALL MEN/WOMEN, BY THESE PRESENTS, WELLS FARGO BANK, N.A. former lender has received in consideration of the payment of indebtedness secured and the cancellation of all the notes that this RELEASE OF MORTGAGE/DEED OF TRUST is hereby acknowledged, does hereby remise, release, satisfy, convey and quit claim property located at 7601 BROKEN HICKORY unto FREDERICK SMITH AND TASHA L. CARODINE heirs, legal representatives, successors and/or assignees; and assigns all right, title, interest, claim, or demand whatsoever it may have acquired in, through or by a certain Mortgage/Deed of Trust bearing the date APRIL 14, 2005, and filed for the record transferring all right, title, interest to FREDERICK SMITH AND TASHA L. CARODINE NOW TASHA L. SMITH THE Following:

LOT 28, 1ST ADDITION, RANCH MEADOWS SUBDIVISION, LOCATED IN SECTION 25, TOWNSHIP 1 SOUTH, RANGE 9 WEST, DESOTO COUNTY, MISSISSIPPI, AS RECORDED IN PLAT BOOK 58, PAGES 39-39, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI. IN THE TESTIMONY WHEREOF, the said, WELLS FARGO BANK, N.A., AS TRUSTEE, ON BEHALF OF THE REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-WMC6, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-WCM6, BY SELECT PORTFOLIO SERVICING, INC. AS ATTORNEY IN FACT, has caused these presents to be signed by its Assistant Secretary, Dated JAN - 5 2016

WELLS FARGO BANK, N.A., AS TRUSTEE, ON BEHALF OF THE REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-WMC6, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-WCM6, BY SELECT PORTFOLIO SERVICING, INC. AS ATTORNEY IN FACT,

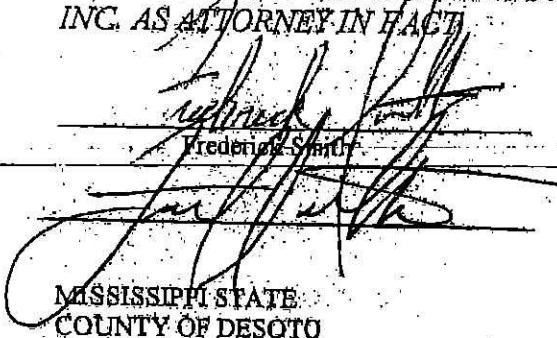

Frederick Smith

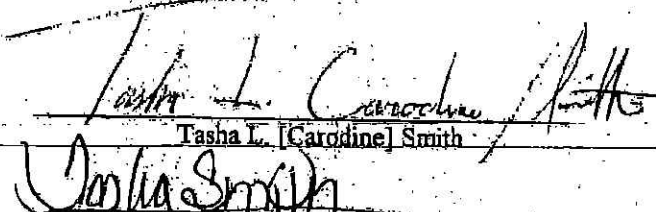

Tasha L. [Carodine] Smith

cancellation of all the notes that this RELEASE OF MORTGAGE/DEED OF TRUST is hereby acknowledged, does hereby remise, release, satisfy, convey and quit claim property located at 7601 BROKEN HICKORY unto: FREDERICK SMITH AND TASHA L. CARODINE heirs, legal representatives, successors and/or assignees, and assigns all right, title, interest, claim, or demand whatsoever it may have acquired in, through or by a certain Mortgage/Deed of Trust bearing the date APRIL 14, 2005, and filed for the record transferring all right, title, interest to FREDERICK SMITH AND TASHA L. CARODINE NOW TASHA L. SMITH THE Following:

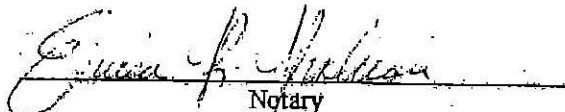
LOT 28, 1ST ADDITION, RANCH MEADOWS SUBDIVISION, LOCATED IN SECTION 25, TOWNSHIP 1 SOUTH, RANGE 9 WEST, DESOTO COUNTY, MISSISSIPPI, AS RECORDED IN PLAT BOOK 58, PAGES 39-39, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI, IN THE TESTIMONY WHEREOF, the said, WELLS FARGO BANK, N.A., AS TRUSTEE, ON BEHALF OF THE REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-WMC6, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-WCM6, BY SELECT PORTFOLIO SERVICING, INC. AS ATTORNEY IN FACT, has caused these presents to be signed by its Assistant Secretary, Dated JAN - 3 2016.

WELLS FARGO BANK, N.A., AS TRUSTEE, ON BEHALF OF THE REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-WMC6, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-WCM6, BY SELECT PORTFOLIO SERVICING, INC. AS ATTORNEY IN FACT


Frederick Smith
MISSISSIPPI STATE
COUNTY OF DESOTO


Tasha L. [Carodine] Smith

Sworn and subscribed before me this 27th day of February, 2016.


Notary

My Commission expires: April 21, 2017

SEAL

1/15/16 8:43:49
 OK T BK 4,098 PG 778
 DESOTO COUNTY, MS
 MISTY HEFFNER, CH CLK

House
 Payoff...

Space above for Recorder's use

Recording Requested And Prepared By:
 T.D. Service Company
 SAL GODINEZ
 LR Department
 4000 W Metropolitan Dr Ste 400
 Orange, CA 92868

And When Recorded Mail To:
 T.D. Service Company
 LR Department (Cust# 686)
 4000 W Metropolitan Dr Ste 400
 Orange, CA 92868

Customer#: 686/19 Service#: 4280598RL1



Loan#: 0013758091

RELEASE OF MORTGAGE/DEED OF TRUST

KNOW ALL MEN BY THESE PRESENTS, That the undersigned for and in consideration of the payment of indebtedness secured and the cancellation of all the notes thereby secured and the sum of one dollar, the receipt whereof is hereby acknowledged, does hereby remise, release, satisfy, convey and quit claim unto: FREDRICK SMITH AND TASHA L. CARODINE, heirs, legal representatives, successors and/or assignees, and assigns all right, title, interest, claim, or demand whatsoever it may have acquired in, through or by a certain Mortgage/Deed of Trust bearing the date APRIL 14, 2005; and filed for the record in the County Recorder of DE SOTO, State of MISSISSIPPI, as Instrument No. --- in Book No. Z,203, at Page No. 520 on APRIL 26, 2005.

LOT 28, 1ST ADDITION, RANCH MEADOWS SUBDIVISION, LOCATED IN SECTION 25, TOWNSHIP 1 SOUTH, RANGE 9 WEST, DESOTO COUNTY, MISSISSIPPI, AS RECORDED IN PLAT BOOK 58, PAGES 38-39, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI. IN TESTIMONY WHEREOF, the said, WELLS FARGO BANK, N.A., AS TRUSTEE, ON BEHALF OF THE REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-WMC6, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-WMC6, BY SELECT PORTFOLIO SERVICING, INC. AS ATTORNEY IN FACT, has caused these presents to be signed by its Assistant Secretary Dated: JAN - 5 - 2016

WELLS FARGO BANK, N.A., AS TRUSTEE, ON BEHALF OF THE REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-WMC6, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-WMC6, BY SELECT PORTFOLIO SERVICING, INC. AS ATTORNEY IN FACT

By:

Julian Yanez, Assistant Secretary

MY house is paid off and
 the Desoto Sheriff and office
 Charles Mohon force me
 out on the street, and
 Look my property.
 * That is: Theft
 property

FILED
 DESOTO COUNTY, MS

MAY 11 2016

CLERK OF THE
 CIRCUIT COURT CLERK

AFFIDAVIT OF FACT TO QUIT CLAIM DEED

STATE OF MISSISSIPPI

COUNTY OF DESOTO

On this DEC, December 10 2016, Fred Smith and Tasha Smith appeared before me, the undersigned notary public, and upon their oath they said:

I, Tasha Smith, Tasha Smith, the Living Woman, the Grantor, quitclaim Deed to Frederick Smith, the grantee of the full Title, Warranty/Quitclaim Deed for the Real Property on the attached Original said deed filed and recorded on Date Dec 10, 2016, which lacked my acknowledgement and acceptance of said Deed. It is my free will act and deed, to acknowledge on and for the Public Record of my acceptance of the Warranty / Quitclaim Deed in Fee-simple and lawful ownership of the below described Real Property in Fee-simple, I request that the record on file in the Office of Register of Deeds be updated to show my acknowledgement and acceptance of the Deed as the lawful owner of the Real Property is Fee-Simple.

Lot 28 1st Addition, Ranch Meadows Subdivision, located in Section 25 Township 1 South, Range 9 West, Desoto County, Mississippi, as recorded in Plat Book 58, Pages 38-39- in the Office of the Chancery Clerk of Desoto County, Mississippi. The Recorder of the Desoto County, State of Mississippi 2535 Highway 51 South Hernando, Mississippi 38632.

I, Frederick Smith, the Living Man, as a free will act and deed under my hand and seal Family Name: Smith, Frederick; Frederick Smith, Executor, Director, Grantee and Holder in Due Course of Legal Name FREDERICK SMITH, this DEC 10, 2016 Day of December, 2016.

ACKNOWLEDGEMENT

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Date DEC 10, 2016

Tasha Smith

Tasha Smith, Grantor

Frederick Smith

Frederick Smith, Grantee

Anointed in the name of Jesus Christ
By the Father of GOD, I Trust

SUBSCRIBED and AFFIRMED before me On this 10th day of

December, 2016, Before me, Erica R. Robinson the Notary below
appeared, Frederick Smith and Tasha Smith, and after producing their Identifications to be
the Living Man and Woman described and executed the foregoing instrument and
acknowledged before me the same as his and her free will act and deed.

Erica R. Robinson

Notary Public

SEAL

My Commission Expire: April 21, 2017



FILED
DESOTO COUNTY, MS

DEC 13 2016

Olak H. Thompson
CIRCUIT COURT CLERK

12/20/17 2:00 PM
BK 489 PG 717
DE SOTO COUNTY, MS
J.E. DAVIS, CLERK

Prepared by: Austin Law Firm, P.A.
6928 Cobblestone Drive, Suite 100
Southaven, MS 38672
662-890-7575

Tasha L. Carodine,
GRANTOR

TO

QUITCLAIM DEED

Tasha L. Carodine and Fredrick Smith,
GRANTEES

OWNER...

For and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, I, Tasha L. Carodine, do hereby sell, convey and quitclaim unto Tasha L. Carodine and Fredrick Smith, as tenants by the entirety with full rights of survivorship and not as tenants in common, the land lying and being situated in DeSoto County, Mississippi, described as follows, to-wit:

Lot 28, 1st Addition, Ranch Meadows Subdivision, located in Section 25, Township 1 South, Range 9 West, DeSoto County, Mississippi, as recorded in Plat Book 58, Pages 38-39 in the office of the Chancery Clerk of DeSoto County, Mississippi.

The warranty in this deed is subject to rights of ways and easements for public roads and public utilities, to building, zoning, subdivision, and health department regulations in effect in DeSoto County, Mississippi.

WITNESS OUR SIGNATURES, this the 29 day of December, 2004

Tasha L. Carodine

STATE OF MISSISSIPPI
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, Tasha L. Carodine, who acknowledged that she signed and delivered the above and foregoing Quitclaim Deed as her free and voluntary act and deed and for the purposes therein expressed.

Given under my hand and official seal of office, this the 29 day of December, 2004

My Commission Expires:

GRANTOR/GRANTEES ADDRESS:
7601 Broken Hickory
Walls, MS 38680
Home 650-9050 Work 754-1168

502-0670

****NO TITLE WAS REQUESTED OR PERFORMED****

S02-0670

WHEELER CONSTRUCTION, LLC,

GRANTOR

W A R R A N T Y

TO

D E E D

Tasha L. Carodine,
GRANTEE

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, Wheeler Construction, LLC, does hereby sell, convey, and warrant to Tasha L. Carodine, the land lying and being situated in DeSoto County, Mississippi, described as follows, to-wit:

Lot 28, 1st Addition, Ranch Meadows Subdivision, located in Section 25, Township 1 South, Range 9 West, DeSoto County, Mississippi, as recorded in Plat Book 58, Pages 38-39 in the office of the Chancery Clerk of DeSoto County, Mississippi.

The warranty in this deed is subject to rights of ways and easements for public roads and public utilities, to building, zoning, subdivision and health department regulations in effect in DeSoto County, Mississippi.

The warranty in this deed is further subject to restrictive covenants, easements and setback lines of record in Plat Book 58, Pages 38-39, in the Chancery Court Clerk's office of DeSoto County, Mississippi

Taxes for the year 2002 shall be prorated and possession is to be given with deed.

WITNESS the signature(s) of the duly authorized officer(s) of the Corporation this the 14th day of June, 2002.

WHEELER CONSTRUCTION, LLC

BY: _____

John David Wheeler
Member

STATE OF MISSISSIPPI:
COUNTY OF DESOTO:

PERSONALLY APPEARED before me, the undersigned authority at law, in and for the State and County aforesaid, the within named John David Wheeler, who acknowledged that as Member for and on behalf of and by authority of Wheeler Construction, LLC, signed and delivered the above and foregoing Deed on the day and year therein mentioned, and for the purposes therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 14th day of June, 2002.

Notary Public

My commission expires:

Grantors Address:
P. O. Box 150
Southaven, MS 38671
Home Phone number:
Business number:

Grantees Address:
7601 Broken Hickory
Walla, MS 38680
Home Phone number:
Business number:

Prepared By:

Austin Law Firm, P.A.
6928 Cobblestone Drive, Suite 100
Southaven, Mississippi 38672
(662) 890-7575

Mississippi Bankers Association
Form No. 1
(Revised November, 1985)
L A N D

S02-0670

LAND DEED OF TRUST

THIS INDENTURE, made and entered into this day by and between _____

Tasha L. Carodine

whose address is 7601 Broken Hickory Walls
(Street No. or RFD No. and Box) (City)

DeSoto MS, as Grantor (herein designated as "Debtor"), and
(County) (State)
Mary Austin Monteith

as Trustee, and Wheeler Construction, LLC

_____ of Southaven, Mississippi as Beneficiary

(herein designated as "Secured Party"), WITNESSETH:

WHEREAS, Debtor is indebted to Secured Party in the full sum of _____

ONE HUNDRED FIFTY FOUR THOUSAND NINE HUNDRED AND NO/100-----

Dollars (\$ 154,900.00) evidenced by ONE promissory note of even date herewith
in favor of Secured Party, bearing interest from DATE at the rate specified in the note _____,
providing for payment of attorney's fees for collection if not paid according to the terms thereof and being due
and payable as set forth below:

Due and payable in 360 monthly installments in the amount of \$1,246.36 each. The first payment shall be
due on the 1st day of August, 2002, with like installments being due on the 1st day of each and every month
thereafter until paid in full.

WHEREAS, Debtor desires to secure prompt payment of (a) the indebtedness described above according
to its terms and any extensions thereof, (b) any additional and future advances with interest thereon which Secured
Party may make to Debtor as provided in Paragraph 1, (c) any other indebtedness which Debtor may now or hereafter
owe to Secured Party as provided in Paragraph 2 and (d) any advances with interest which Secured Party may
make to protect the property herein conveyed as provided in Paragraphs 3, 4, 5 and 6 (all being herein referred
to as the "Indebtedness").

NOW THEREFORE, In consideration of the existing and future Indebtedness herein recited, Debtor hereby
conveys and warrants unto Trustee the land described below situated in the

City of Walls County of DeSoto State of Mississippi:

Lot 28, 1st Addition, Ranch Meadows Subdivision, located in Section 25, Township 1
South, Range 9 West, DeSoto County, Mississippi, as recorded in Plat Book 58, Pages
38-39 in the office of the Chancery Clerk of DeSoto County, Mississippi.

PROMISSORY NOTE

Southaven, Mississippi

June 14, 2002

\$154,900.00

FOR VALUE RECEIVED, I, Tasha L. Carodine, do hereby promise to pay to the order of Wheeler Construction, LLC at P. O. Box 150, Southaven, MS 38671, the principal sum of ONE HUNDRED FIFTY FOUR THOUSAND NINE HUNDRED AND 00/100-----Dollars (\$154,900.00), together with interest thereon from and after the 14th day of June, 2002 at the rate of 9.0 per centum per annum, as follows:

Due and payable in 360 monthly installments in the amount of \$1,246.36 each. The first payment being due on the 1st day of August, 2002, with like payments being due on the 1st day of each and every month thereafter until paid in full.

If the Note Holder has not received the full amount of any monthly payment by the end of 15 calendar days after the date it is due, I will pay a late charge to the note holder. The amount of the late charge will be 4% of my overdue payment of principal and interest. I will pay this late charge promptly but only once on each late payment.

The makers and endorsers hereof expressly waive protest, demand, presentment and notice of dishonor, and agree that this note may be extended, in whole or in part, without limit as to the number of such extensions or the period or periods thereof and without notice to them and without affecting their liability thereon.

The maker of this note may pay all or any part of this indebtedness before maturity without penalty.

If this note is placed in the hands of an attorney for collection, by suit or otherwise, or to protect the security for its payment or to enforce its collection, we will pay all costs of collection and litigation, together with a reasonable attorney's fees.


TASHA L. CARODINE

Allodial Title Via Land Patent

Assignee's Update of Patent (use to bring patent current)

RECORDING REQUESTED BY)

AND WHEN RECORDED MAIL TO)

Fredrick Smith and Tasha Smith)

7601 Broken Hickory Drive)

Walls, Mississippi [38680])

Fred Smith 9015987707)

3/31/14 9146124

DK W BK 731 PG 58

DESOTO COUNTY, MS

W. E. DAVIS, CH. CLERK

RECORDER'S USE

DECLARATION OF ASSIGNEES UPDATE OF PATENT

PATENT NUMBER 1708901KNOW ALL MEN BY THESE PRESENTS
THAT Fredrick SmithAND Tasha Smith DO SEVERALLY CERTIFY AND DECLARE THAT

WE (WE/I) BRING UP THIS LAND PATENT IN OUR (OUR/MY) NAME(S):

(1) THE CHARACTER OF SAID PROPERTY SO SOUGHT TO BE PATENTED, AND LEGALLY DESCRIBED AND REFERENCED UNDER PATENT NUMBER LISTED ABOVE IS:

Lot 28, 1st Addition, Ranch Meadows Subdivision, located in Se Township 1 North, Range 9 West, Desoto County, Mississippi, as recorded Book 58 Pages 38-39 in the Chancery Clerk of Desoto County, Mississippi and property of Fredrick Smith and Tasha Smith. That recording of Deed and patent in no way authorizes, allows, or gives authority, to the State of Mississippi or any agency, corporation, third party bank or institution.

(LEGAL DESCRIPTION)

(2) NOTICE OF PRE-EMPTIVE RIGHT, PURSUANT TO THE DECLARATION OF INDEPENDENCE [1776] THE TREATY OF PEACE WITH GREAT BRITAIN (8 STAT. 80) KNOWN AS THE TREATY OF PARIS 1792 AN ACT OF CONGRESS [3 STAT. 566; AMEND. 1821], THE OREGON TREATY [9 STAT. 865; JUNE 15, 1846], THE HOMESTEAD ACT [12 STAT. 321; 1862] AND 43 USC SECTIONS 57, 59, AND 81, THE RECIPIENT HEREOF IS MANDATED BY ARTICLES 1, 2, AND 3 OF SECTIONS 1, 4, & 5, SECTION 2 OF CLAUSE 1, SECTION 4, THE 7TH, 9TH, AND 10TH AMENDMENTS [U.S. CONSTITUTION, 1781-94] TO KNOWLEDGE ASSIGNEE'S UPDATE OF PATENT, PROSECUTE BY AUTHORITY OF ART. III SECTION 2 CL. 1 & 2 AND ENFORCED BY ORIGINAL/EXCLUSIVE JURISDICTION THEREUNDER AND IT IS THE ONLY WAY A PERFECT TITLE CAN BE HAD IN OUR NAMES, WILCOX vs. JACKSON, 13 PET. (U.S.) 46, 1841; ED. 264; ALL QUESTIONS OF FACT DECIDED BY THE GENERAL LAND OFFICE ARE BINDING EVERYWHERE; AND IN JUDICIAL AND MANDAMUS PROCEEDINGS WILL NOT LIE AGAINST IT, LITCHFIELD vs. THE RECEIVERS WALL (U.S.) 575, 19 L. ED. 681. THIS DOCUMENT IS INSTRUCTED TO BE ATTACHED TO ALL DEEDS AND/OR CONVEYANCES IN THE NAMES OF THE ABOVE PARTY(IES)

*

First copy sheet
the Land PatentBF
KS

The Court of Desoto County has violated
the Desoto County Land Patent
owner for

Certified copy made from the original April 18, 1864 DK W BK 731 PG 100

THE UNITED STATES OF AMERICA.

To all to whom these presents shall come, Greeting:

Whereas under the *Tenth* Article of the Treaty made at the CITY OF WASHINGTON, on the twenty-fourth day of May, in the year of our Lord one thousand eight hundred and thirty-four, between the UNITED STATES, by their Commissioner JOHN M. EATON, and the CHICKASAW INDIANS, *Martin Colbert*

became entitled out of the Lands ceded to the UNITED STATES by the Treaty concluded at Pontotoc, Creek, on the twentieth day of October, one thousand eight hundred and thirty-two, with the CHICKASAW NATION, in

Twenty sections of Land; and Whereas the President of the United States having approved on the *Twenty-fourth day of October 1834* of the location of

Fractional Sections Twenty two, and sections Twenty five, Twenty six and Twenty seven, in Township One, of Range Nine, West, containing two thousand three hundred and fifty seven acres and eighty two hundredths of an acre, and lots one, and Two, of fractional sections Two, in Township One, of Range Eight, West, containing one hundred and eighty eight acres and twenty eight hundredths of an acre, in the District of Kansas subject to sale, but not to be sold until the first of January, 1857. and the abstract of Reservations under the *Fifty* Article of the aforesaid Treaty of the 21st May, 1834.

NOW KNOW YE, That the

United States of America, in consideration of the Premises, and in conformity with the provisions of the said Treaty of 1834, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said *Martin Colbert*

and to his heirs, the said tract & above described, TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereto belonging, unto the said *Martin Colbert*

and to his heirs and assigns forever.

In Testimony Whereof, I, MARTIN VAN BUREN,

PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these Letters to be made PATENT, and the SEAL of the GENERAL LAND OFFICE to be hereunto affixed.

WITNESSE under my hand at the CITY OF WASHINGTON, the *Eleventh* day of *November*

in the Year of our Lord one thousand eight hundred and *forty* and of the

INDEPENDENCE OF THE UNITED STATES, the Sixty *Fifty*

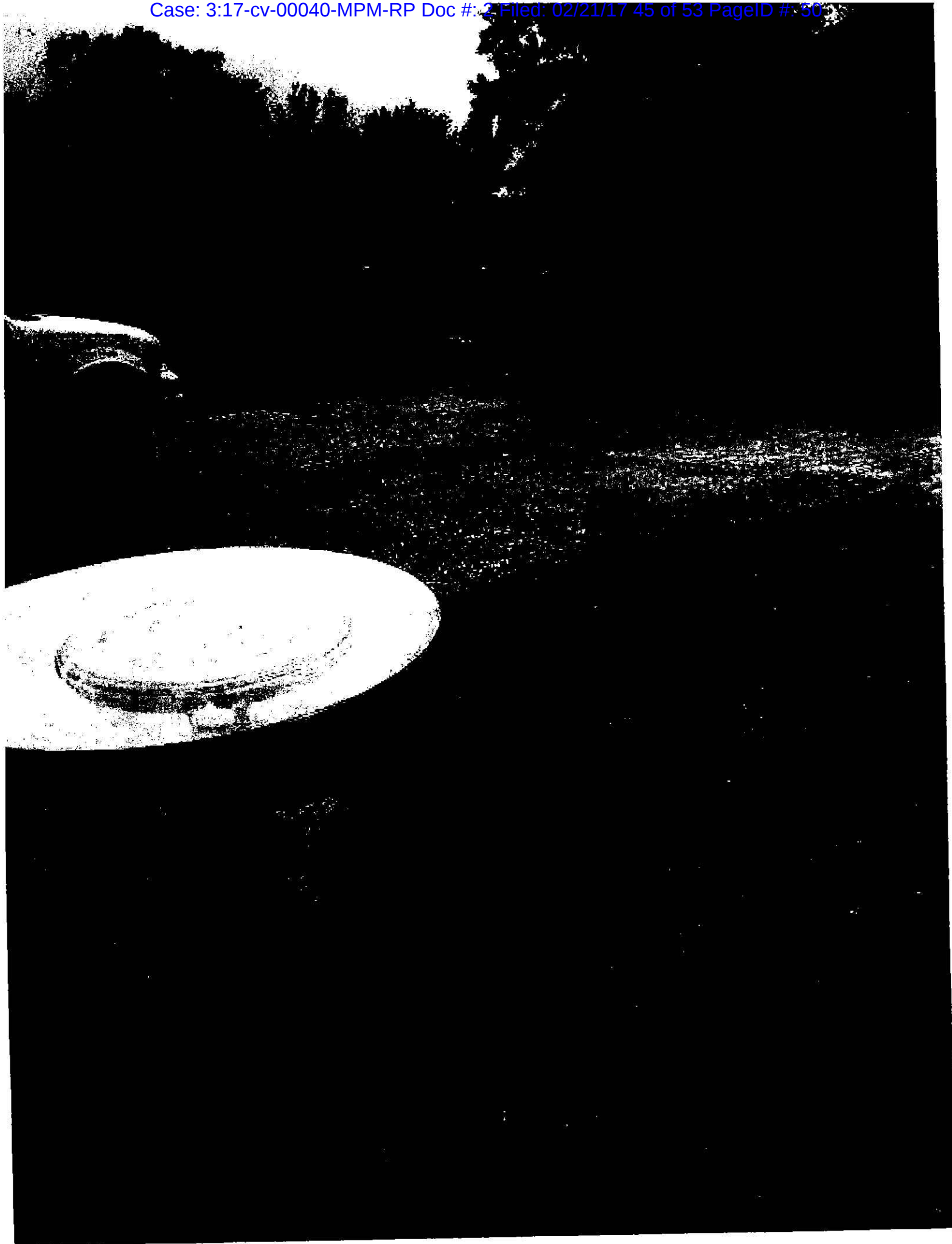
BY THE PRESIDENT *Martin Van Buren*

By *M. Van Buren Jr.* Sec'y.

John A. Wilson, Acting RECORDED of the General Land Office, *all entries*

1708901





THIS 2. AFFIDAVIT OF FREDERICK SMITH

AFFIDAVIT OF FREDERICK SMITH

DESOTO COUNTY SHERIFF'S

AGAINST OFFICERS;

Charles Mohon Badge 0273; Officer Post Badge 3414; Officer Perkins Badge 5429;
Officer Hendrix Badge 5212

May 11th, 2016 I Fred Smith was removed from my home with family, without law by the following persons of the particular circumstances:

1. "My name is Fred Smith I am competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct."
2. That on or about May 11th, 2016 Officer Charles Mahon badge 0273 of the Desoto County Sheriff Department, came to the house I reside in located at 7601 Broken Hickory Drive Walls, Mississippi to confiscate the property with an invalid detainer warrant.
3. Such detainer warrant has never produced a court hearing, furthermore, the unlawful detainer warrant used was previously "Stayed" by pending litigation in the Federal Court by case 3:16-cv-00092 the District Court Mississippi.
4. I asked Officer Charles Mohon why you are here executing a detainer warrant that has been stayed due to a Federal Lawsuit in case
5. Officer Charles Mohon stated he was there to execute a detainer warrant by attorney William Drinkwater.
6. I stated he is just the counsel for the Bank he knows the property is in litigation.
7. I then showed the Officer Mohon the release deed from the mortgage company which was filed after the suit was filed and the release of mortgage was evidence there was no detainer warrant effect. But he stated there is another outstanding loan.

8. I told officer Mohon that you can't use an old, invalid detainer warrant to affect a new alleged loan, that's "Fraud" and you are part of the fraud that must be complained about.
9. Officer Charles Mohon walked away and got into his police vehicle.
10. May 26th 2016 Officers Mohon, Post- Badge 3414, Perkins- badge 5429, Hendrix- badge 5212 knocked on my door and asked me to step outside; I refused and talked from my screen glass door.
11. The officers said you are being evicted today from here and we don't care about your Constitutional Privilege, pending Federal Law suit on the issue of this property, you are going now.
12. Officer Mohon began to yell, "If you don't come out of there we are going to break the door down and arrest you". I said you know that detainer warrant is "Fraudulent" and "invalid" it's not for the past mortgage because it was satisfied. You must take me to court to execute a new detainer warrant that one is void.
13. All the officers then put their hands on their guns and Officer Mohon yelled "get out" I immediately put up my hands and walked out and officer Mohon called to a group of men with them who were a moving company, he motioned them to go in and take all the furniture out.
14. A contract with t moving company was not agreed to be me and for those men of the moving company coming in my home was theft, fraud and conspiracy to commit theft because the detainer warrant being used was void, and unlawfully sued to effect an eviction by William Drinkwater without cause.
15. My children began to yell and scream, because they were only 4 and 11.
16. Officer Mohon escorted me off the property into the street and the moving company was now coming out with my furniture and personal effects, papers in violation of the 4th amendment.
17. The actions of the moving company and officers violated my 4th amendment privilege where they infiltrated, infringed upon my Article 4, sec. 2 Constitutional Privilege & Immunity along with the 4th amendment from this unreasonsonable search and seizure from a bogus void detainer warrant.
18. After being escorted to the street, I called Captain Ray Henley and told him the detainer warrant your men are using is void because it's for another mortgage and

if there is another mortgage, William Drinkwater must apply with the court for a "New" detainer warrant. You know he cannot use that old one?

19. Captain Ray Henley then said "we going ahead with this eviction regardless".
20. I asked "well Captain Henley, do your men have a search warrant". Captain Henley then hung up the phone.
21. I then proceeded back across the property from the street to get each officers name and badge number.

The Affiant further sayeth not.



Affiant

SWORN and SUBSCRIBE before me by Frederick Smith, on ^{July 1}~~June 28~~, 2016 AD.



Notary Public

My Commission Expires

Sept 22, 2019



1/15/16 8:43:49

CK T BK 4,098 PG 778

DESOTO COUNTY, MS

MISTY HEFFNER, CH CLK

House
PAYOFF!
AN The Sheriff, still
evict me and family, put
us out on the street

Recording Requested And Prepared By:

T.D. Service Company

SAL GODINEZ

LR Department

4000 W Metropolitan Dr Ste 400

Orange, CA 92868

(714) 543-8372

Space above for Recorder's use

And When Recorded Mail To

T.D. Service Company

LR Department (Cmt # 686)

4000 W Metropolitan Dr Ste 400

Orange, CA 92868

(714) 543-8372

Customer#: 686/19 Service#: 4280598RL1



Loan#: 0013758669

RELEASE OF MORTGAGE/DEED OF TRUST

KNOW ALL MEN BY THESE PRESENTS: That the undersigned for and in consideration of the payment of indebtedness secured and the cancellation of all the notes thereby secured and the sum of one dollar, the receipt whereof is hereby acknowledged, does hereby remise, release, satisfy, convey and quit claim unto: FREDRICK SMITH AND TASHA L. CARODINE, heirs, legal representatives, successors and/or assignees, and assigns all right, title, interest, claim, or demand whatsoever it may have acquired in, through or by a certain Mortgage/Deed of Trust bearing the date APRIL 14, 2005, and filed for the record in the County Recorder of DE SOTO, State of MISSISSIPPI, as Instrument No. —, in Book No. 2,203, at Page No. 520 on APRIL 26, 2005.

LOT 28, 1ST ADDITION, RANCH MEADOWS SUBDIVISION, LOCATED IN SECTION 25, TOWNSHIP 1 SOUTH, RANGE 9 WEST, DESOTO COUNTY, MISSISSIPPI, AS RECORDED IN PLAT BOOK 58, PAGES 38-39, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.

IN TESTIMONY WHEREOF, the said, WELLS FARGO BANK, N.A., AS TRUSTEE, ON BEHALF OF THE REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-WMC6, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-WMC6, BY SELECT PORTFOLIO SERVICING, INC. AS ATTORNEY IN FACT, has caused these presents to be signed by its Assistant Secretary, Dated: JAN - 5 2016

WELLS FARGO BANK, N.A., AS TRUSTEE, ON BEHALF OF THE REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-WMC6, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-WMC6, BY SELECT PORTFOLIO SERVICING, INC. AS ATTORNEY IN FACT

By:


Julian Yanez, Assistant Secretary

AFFIDAVIT

CRIMINAL ACTIONS

Frederick Smith

Vs.

BILL RASCO

DESOTO COUNTY SHERIFFS DEPARTMENT 311 W. South St. Hernando, MS 38632
Officer Charles Mohon 311 W. South St. Hernando, MS 38632

STATEMENT

1. Fred Smith from firsthand knowledge complains of criminal acts against him to the Sheriff Department of Desoto county on the forgoing information; State below the specific details of what the accused did that constitutes false arrest, false imprisonment, kidnapping, illegal labeling, violated procedures of Arrest in falsifying records of a "GENERAL AFFIDAVIT" in deliberate disregard for arresting persons as a "Fugitive From Justice" filed with the Desoto County Circuit Clerk - attached to this affidavit of criminal charges where Fred Smith HAS NEVER BEEN CONVICTED....so to arrest, craft a process to abuse the privileges and immunities of Fred Smith, that constitute the following: illegal detaining, unlawful seizure-Fourth Amendment, deprivation of liberties, wrongful arrest *et al inter alia*.

FACTS

- 1 That on September 23, 2009, Frederick Smith was fraudulently arrested by the Desoto County Sheriff's Department employee's sworn testimony by Officer Charles Mohon on a fraudulent warrant issued by the State Police of Arkansas. Mr. Smith was incarcerated for (4) four days in Desoto County Mississippi and held with no warrant information and was told by Desoto County Sheriff's Department officer Charles Mohon, that the State of Arkansas Prosecutor did not want Mr. Smith released or let him bond out and that the State Police would pick him up to expedite him back to Chicot County Arkansas.
2. Deputy Charles Mohon made a sworn affidavit against Mr. Smith complaining that he was a 'fugitive from justice'. The affidavit signed and filed in the circuit court September 23, 2009 was fraudulent, bogus, illegal, unlawful and deliberate.
3. During the course of the State Police of Arkansas Investigation it was learned that the bookkeepers, BRENDA ADAMS or BEVERLY MORLES, who possibly wrote the over payment both passed away before they could be questioned from the State Police. The State Police-Arkansas referenced the FBI because Federal Dollars was involved and the FBI stated

that this was just an oversight by the Dermott School District of a check overpayment that was the School's mistake. Being there was no criminal intent, *mens rea*, theft of property for Mr. Smith to be labeled, arrested, by a fraudulent affidavit stating he is a *fugitive from justice* when there was nor are there evidence of Mr. Smith being a convicted felon from being on probation or parole that absconded from a parole or probation making him a fugitive from justice.

4. Charles Mohon on his own or from some directional order to go arrest Fred Smith because he was a fugitive from justice, where respondent superior is liable and Charles Mohon knew or should have known that the order to arrest Mr. Smith was bogus, fraud, illegal.

5. The Desoto County Sheriff's Department, Deputy Charles Mohon and ARK. State Prosecutor violated under color of law and Federal Acts pursuant to Title 42 U.S.C.A § 1983 for Due Process Violations, and Racial Discrimination pursuant to Title 42 U.S.C.A. §§ 1981, 1985 for equal protection under the law and Title 18 U.S.C.A §§ 241, for conspiracy and 242 for deprivation of rights under color of law and Title 18 chapter 47 § 1038 for Fraud/False information and Hoaxes, because Officer Charles Mohon participated, enjoined himself in the corruption of Mississippi officers making himself a conspirator against the Constitution of Mississippi and Constitution of the United States and Mississippi Code 95-1-1 certain words "Fugitive From Justice" for libel and slander and Defamation to the affiant's reputation inter alia.

6. *This complaint is to serve as my formal request against the above listed PERSON who has violated his Oath of office section MC 19-25-19 of the Counties and County Officers Chapter 25 Sheriffs' Mississippi.*

CONSPIRACY

Claim of RICO, and Sherman Act Violations

22 Petitioner hereby incorporates the factual allegations of all previous paragraphs as though those allegations were fully set forth herein.

23 This pattern of Racketeering and Corrupt influence by Defendants is wide spread throughout Mississippi and the court system in America. This complaint alleges inter alia, violations under the Organized crime Control Act of 1970, Pub. L. No. 91-452, section 901(a), 84 Stat. 941, Racketeering Influenced and Corrupt Organizations (RICO), Sherman Anti-Trust Act – where the enterprise DESOTO COUNTY SHERIFF DEPARTMENT and participation of DEPUTY SHERIFF OFFICER Charles Mohon, and by an thru the principal enforcer Bill Rasco; who ordered participant Charles Mohon, by and thru orders from the affairs of the enterprise "DESOTO COUNTY SHERIFF DEPARTMENT" acts, and displays of conduct from this pattern of influence and has violated Article 4, Sec. 2 Constitution of the United States, 18 USC 1962(c), (a),(b), and is brought against "Fred Smith", a Citizen of United States, in connection and victim of a monopoly scheme devised, conducted, and/or participated in DESOTO COUNTY SHERIFF DEPARTMENT-enterprise. Charles Mohon of who is employed by or associated with DESOTO COUNTY SHERIFF DEPARTMENT, deputy Charles Mohon participant of DESOTO COUNTY SHERIFF DEPARTMENT, receives income derived from the enterprise, where *It shall be unlawful for any person through a pattern of racketeering*

activity or through collection of an unlawful debt to acquire or maintain, directly or indirectly, any interest in or control of any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce. By conduct and participant Deputy Charles Mohon, in the affairs of the enterprise where It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of unlawful debt.

24 Charles Mohons' conduct or participation, directly or indirectly, in the conduct of the affairs of the DESOTO COUNTY SHERIFF DEPARTMENT, through a pattern of racketeering activity, creating, establishing, to illegally and unlawfully arrest the person, where Charles Mohon association, participation with the enterprise affairs, who conspired to do so, and to wrongfully and unlawfully divert the right OF Fred Smith illegally swearing he was a fugitive from justice thru false claims of a lie. Conspiracy past down to Bill Rasco from officials from Arkansas government to systematically in a scheme to arrest Mr. Smith without cause, secretly, craftily and Constitutionally taken away privileges and immunities guaranteed by Article 4 sec. 2 Constitution of the United States.

25 Against Fred Smith, where affiant has been injured in his Constitutional Article 4, sec. 2 Privileges & Immunities forced arrest illegally by Deputy Charles Mohon protect the Citizens from abuse of government officials, protect the laws of Mississippi, deliberately against his sworn oath of office, and "Public Policy" was recruited to assist Bill Rasco and participate in the affairs of the enterprise-SHERIFF DEPARTMENT, where if he-Charles Mohon would devote a significant amount of energy to conspire with him and others to carry out a bogus arrest, place Fred Smith in the ACIC & NCIC listing him as a "Fugitive from Justice" shocks the conscious. He would be guaranteed income derived from his participation in the scheme to deny, take away Fred Smith's Constitutional privilege to seek public office shocks the conscious. To the detriment of Representative Fred Smith, violating, Sherman Anti-Trust Act, RICO and Constitution of the United States, inter alia.

Conclusion

The aforementioned information is TO BE forwarded to the appropriate authority for a Writ of Execution against the above listed person for the criminal violations of law.

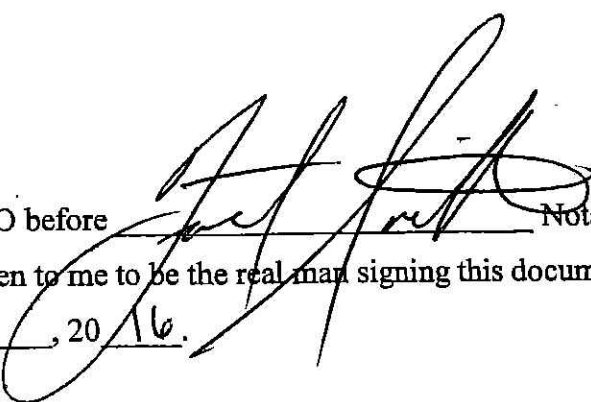
This day of 15 day of July 2016.


Fred Smith

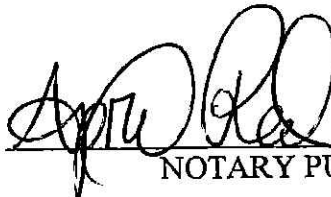
ACKNOWLEDGEMENT

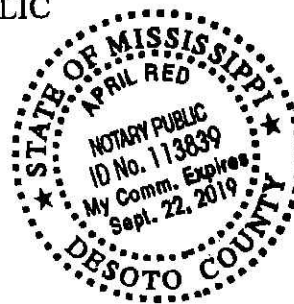
State: Mississippi)

County: Desoto)

SUBSCRIBED AND SWORN TO before  Notary Public by
Fred Smith, known to me or proven to me to be the real man signing this document this
15th day of August, 2016.

WITNESS my hand and official seal.


NOTARY PUBLIC



My commission expires:

Sept 22, 2019

SEAL